

The Gazette of India



PUBLISHED BY AUTHORITY

No. 52] NEW DELHI, SATURDAY, DECEMBER 25, 1954

NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 18th December 1954 :—

Issue No.	No. and date	Issued by	Subject
291A	S. R. O. 3558-A, dated the 11th December, 1954.	Ministry of Information and Broadcasting.	Order certifying certain films of their description.
292	S. R. O. 3559, dated the 13th December, 1954.	Ministry of Labour.	Appointment of Shri Justice V. R. Sen of the Nagpur High Court for holding an enquiry into the causes of accident at the Newton Chikli Colliery, Chhindwara.
293	S. R. O. 3560, dated the 16th November, 1954.	Election Commission, India.	Election Petition No. 11 of 1953.
294	S. R. O. 3605, dated the 16th December, 1954.	Ministry of Law.	The Delimitation of Parliamentary and Assembly Constituencies (West Bengal) (Amendment) Order, 1954.
295	S. R. O. 3606, dated the 17th December, 1954.	Ditto.	Appointment of date on which the Special Marriage Act, 1954, shall come into force.
296	S. R. O. 3607, dated the 18th December, 1954.	Ministry of Information and Broadcasting.	Order certifying a film of its description.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this *Gazette*.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF WORKS, HOUSING AND SUPPLY
(Central Boilers Board)

New Delhi, the 3rd December 1954

S.R.O. 3608.—The following draft of certain amendments to the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 31st March 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

Draft Amendments

In the said Regulations—

1. For sub-clause (1) of clause (b) of regulation 15, the following sub-clause shall be substituted, namely:—

“(b) (i) Plates, Angles and Tees.—Wherever practicable, the rolled surface shall be retained on two opposite sides of the test piece. The ultimate tensile stress and percentage of elongation on 8 in. gauge length shall be determined on standard test piece A (see Appendix B) and for plates over 2 in. in thickness, standard test piece B shall be used.”

2. For the table below to Regulation 16, the following table shall be substituted, namely:—

Description	Ultimate tensile stress Tons/ sq. in.	Minimum Elongation* per cent.		Bend Test	
		Test piece A 8 in. gauge	Test piece B†	Test piece BI	Radius of bend T = Thickness or diameter
Plates for shells, but straps, gussets and stays.		23 for 26—30 tons/sq. in.	21 for 26—30 tons/sq. in.	..	1 T for 26—3. tons/sq. in.
		20 for 28—32 tons/sq. in.	18 for 28—32 tons/sq. in.	..	1½ T for 28— 32 tons/sq.in.
		20 for 30—36 tons/sq. in.	18 for 30—36 tons/sq. in.	..	1½ T for 30— 36 tons/ sq. in.
Plates or flanging, and for furnaces.	24—32	23 for 24—30 tons/sq. in.	21 for 24—30 tons/sq. in.	..	1 T for 24—30 tons/sq. in.
		20 for 28—32 tons/sq. in.	18 for 28—32 tons/sq. in.	..	1½ T for 28—32 tons/sq. in.
Plates for forge-welding	24—30	23 for 24—30 tons/sq. in.	21	..	1 T for 24—30 tons/sq. in.

Description	Ultimate tensile stress	Minimum Elongation* per cent.		Bend Test	
	Tons/ sq. in.	Test price A 8 in. gauge	Test price B†	Test price BI	Radius of bend T = Thickness or diameter
Sections	26—30 or 28—33	23 for 26—30 tons/sq. in. 20 for 28—33 tons/sq. in.	1T for 26— 30 tons/sq. in. 1½ T for 28— 33 tons/sq. in.
Brs for bar stays	26—36	..	25 for 26—30 tons/sq. in. 22 for 30—36 tons/sq. in.	30 for 26— 30 tons/sq. in. 27 for 30—36 tons/sq. in.	1½ T
Bars for screwed stays	24—28 or 26—30	..	25	30	1T
Bars for rivets	24—28 or 26—30	..	25	30	..

* For material under 3/8 inch in thickness reduce minimum percentage elongation value by 3.

† Machined in the case of plates."

3. For clause (c) of the regulation 19, the following clause shall be substituted, namely:—

"(c) For cold bend tests the test piece shall withstand, without fracture, being doubled over until the internal radius is equal to that shown in table under regulation 16 and the limbs are parallel."

4. For regulation 23, the following regulation shall be substituted, namely:—

'23-Branding every plate and bar shall be clearly and distinctly marked by the maker in two places with the number of identification marks by which they can be traced to the charge from which the material was made."

5. For regulation 24, the following regulation shall be substituted, namely:—

"24. Defacing of rejected material—In the event of the material failing in any case to withstand the prescribed tests, the identification mark of the Inspecting Officer which has been stamped on the material, shall be defaced by punch marks extending beyond the identification mark in the form of a cross, thus denoting that the material has so failed."

6. For sub-clause (iv) of clause (d) of regulation 36, the following sub-clause shall be substituted, namely:—

"(iv) Length—The length of the tubes shall be not less than the nominal length, but may exceed it by the amount given below:—

Up to and including 30 ft.	1/8 in.
Over 30 ft.	1/4 in."

7. For the last sentence of clause (a) of regulation 48, the following sentence shall be substituted, namely:—

"The steel maker shall supply a certificate giving high temperature creep strength of the steel as agreed upon between the manufacturer and the Inspecting Authority."

8. In regulation 53—

(i) in clause (a) for the last sentence the following sentence shall be substituted, namely:—

"The steel maker shall supply a certificate giving high temperature creep strength of the steel as agreed upon between the manufacturer and the Inspecting Authority."

(ii) for sub-clause (iii) of clause (c) the following sub-clause shall be substituted, namely:—

(iii) Length—The Length of the tubes shall be not less than the nominal length, but may exceed it by the amount given below:—

Up to and including 30 ft.	1/8 in.
Over 30 ft.	1/4 in."

9. In clause (a) of regulation 54--

(i) for the expression "following requirements", the expression "requirements prescribed in clause (a) of regulation 49" shall be substituted;

(ii) the table shall be omitted.

10. For the heading above regulation 57, the following heading shall be substituted, namely:—

"ELECTRIC-RESISTANCE-WELDED STEEL BOILER AND SUPERHEATER TUBES FOR DESIGN STEAM TEMPERATURE NOT EXCEEDING 850° F (454° C)."

11. In clause (c) of regulation 58—

(i) for the 3rd and 4th items in the Table, the following items shall be substituted, namely:—

"Phosphorous, max. per cent.	... 0.05	... 0.05.
Sulphur, max. per cent.	... 0.05	... 0.05";

(ii) after the Table, the following shall be inserted, namely:—

"Where the temperature is below 750°F (399°C), either 'rimming' or 'killed' steel may be used. If 'rimming' steel is used, the strips shall be rolled in single widths and not slit longitudinally.

The steel used for design steam temperature above 750°F (399°C) but not exceeding 850°F (454°C) shall be of the fully 'killed' type. The question of the high temperature creep strength of the material shall be the subject of agreement between the manufacturer and the Inspecting Authority."

(iii) after clause (c), the following clauses shall be inserted, namely:—

"(d) *Thickness*.—The thickness of each tube shall conform to the specified thickness excluding the weld within the limits of plus 10 and—5 per cent.

(e) *Diameter*.—The outside diameter of each tube measured at any position shall conform to the specified outside diameter within the limits of plus 0 and—1 per cent.

(f) *Length*.—The length of each tube shall be not less than the nominal length, but may exceed it by the following amounts:—

	Nominal length ft.	Tolerance in.
Up to and including	30	1/8"
Over	30	1/4"

12. For regulation 60, the following regulation shall be substituted, namely:—

"60. *Tensile Properties*.—The tubes shall conform to the requirements as to tensile properties prescribed in table below:—

Tensile Requirements

	Type A	Type C
Tensile strength, min. per sq. in.	47,000 lbs.	60,000 lbs.
Yield point, min.	26,000 lbs.	37,000 lbs.
Elongation in 2 in., min. per cent.	35	30
For longitudinal strip tests a deduction for each 1/32 in. decrease in wall thickness below 5/16 in. from the basic min. elongation of the following percentage.	1'75	1'50

13. In the last line of clause (d) of regulation 68, for the expression "2" the expression "2½" shall be substituted.

14. For regulation 73, the following regulation shall be substituted, namely:—

"73 *Scope*.—The steel castings shall be of the following grades:—

Grade	ULTIMATE TENSILE STRESS Tons/sq. in. min.
A	28
B	32
C	35

15. For regulation 74, the following regulation shall be substituted, namely:—

"74. (a) *Process of manufacture*.—Steel for casting shall be made by the open Hearth or an Electric Process, acid or basic.

(b) *Chemical Analysis*.—The steel shall contain:

Element	Grade A	Grade B	Grade C
	Per cent Max.	Per cent Max.	Per cent Max.
Carbon	0.25	0.35	0.45
Silicon	0.60	0.60	0.60
Manganese	1.00	1.00	1.00
Sulphur	0.06	0.06	0.06
Phosphorus	0.06	0.06	0.06

The manufacture shall supply a certificate of analysis of each melt when requested.

(c) *Heat Treatment*.—All castings shall be supplied in the heat-treated condition. The heat treatment shall consist of annealing, annealing and normalizing, normalizing, normalizing and tempering or hardening and tempering, either at the discretion of the manufacturer or the Inspecting Officer and shall be carried out at suitable temperatures to give the mechanical properties specified in regulation 77.

(d) *Fettling and Dressing*.—All castings shall be properly fettled and dressed and all surfaces shall be satisfactorily cleaned for inspection purposes.

(e) *Freedom from Defects*.—All castings shall be free from injurious defects. In the event of any casting proving defective in the course of preparation, machining or erection, such casting may be rejected notwithstanding any previous certification of satisfactory testing."

16. For regulation 76, the following regulation shall be substituted, namely:—

"76. *Number of tests*.—Provision of test samples.—Tensile and bend test pieces shall be prepared from test samples representative of each melt or each heat-treatment batch as follows:—

(a) The test samples shall be cast attached to or separate from the casting as agreed between the manufacturer and the Inspecting Officer. The agreement for attached test samples shall include the precise location and method of attachment. If the Inspecting Officer does not make such an agreement with the manufacturer, the decision as to the manner of providing test samples shall rest with the manufacturer. The discretion of the manufacturer shall not, however, apply to the testing of castings made from ore than one melt as indicated in clause (d) below.

(b) If the test samples are attached to the castings, at least one tensile test and, when required one bend test, shall be made from each melt. Such test samples shall not be detached from the castings until heat-treatment of the castings has been completed and they have been stamped by the Inspecting Officer. Test samples shall be stamped by the Inspecting Officer after the heat-treatment process.

(c) If the test samples are cast separately, they shall be provided to the extent of 2 per cent. of the number of castings from each melt, but

in no case shall there be less than 2 samples per melt, except by agreement between the manufacturer and the Inspecting Officer. The test sample shall be cast in moulds of the same material as is used for the castings and shall be made at the same time as the castings, and run from the same ladle. The samples shall be stamped by the Inspecting Officer so as to identify the castings to which they relate.

- (d) When a casting is made from more than one melt, at least four tensile tests and, where required, four bends tests, shall be made from test samples situated as far apart as possible on the casting. Some of the test samples shall be taken from as near the top and others from near the bottom of the casting as is practicable.
- (e) Test samples shall be heat-treated with the castings they represent."

17. For regulation 77, the following regulation shall be substituted, namely:—

"77. (a) *Tensile tests.*—The mechanical properties obtained from the test pieces selected and prepared as specified in regulation 76 shall comply with the requirements of the following table:—

	Grade		
	A	B	C
Ultimate tensile stress tons/sq. in. not less than	28	32	35
Yield stress, or 0.5% proof stress, tons/sq. in. not less than	14	16	17.5
Elongation, per cent not less than	22	20	15

NOTE.—Should a tensile test piece break outside the middle half of its gauge length, the test may, at the manufacturer's option, be discarded and another representative test made.

- (b) The tensile test shall be carried out on test pieces conforming to the dimensions of Standard test piece C, or to those of one of the subsidiary round test pieces as shown in Appendix B."

18. For regulation 78, the following regulation shall be substituted, namely:—

"78. *Bend tests.*—Cold bend tests shall be made upon test pieces having a rectangular section of one inch wide by 3/4 inch thick. The test pieces shall be machined and the edges rounded to a radius of 1/16 inch. The test pieces shall be bent over the thinner section.

Bend tests may be made by pressure or by blows, and the test pieces shall without fracture withstand being bent round a former having a radius of 1 inch through an angle not less than that given in the following table:—

Grade of Casting	Angle of Bend minimum.
A	120°
B	90°
C	No test"

19. For regulation 79, the following regulation shall be substituted, namely:—

"79. (a) *Additional tests before rejection.*—Should any of the original test pieces fail to pass the mechanical tests, two further samples which represent the same casting or castings shall be selected and tests in the same manner. The manufacturer shall have the right, if he so desires, to re-heat-treat the castings before the two further samples are selected.

Should the two further tests satisfy the requirement of this standard, the castings, represented by them shall be accepted. Should either of the re-tests fail, the castings represented shall be liable to rejection.

- (b) *Hardness test after heat treatment.*—The Inspecting Officer may call for hardness testing of the heat-treated castings.

(c) *Non-destructive tests.*—The Inspecting Officer may call for radiographic examination or other non-destructive testing of the castings.

Castings found to be unsound may be treated in accordance with regulation 75. If the welding repairs are sanctioned by the Inspecting Officer, they shall be carried out in accordance with regulation 80."

20. For regulation 80, the following regulation shall be substituted, namely:—

"80. *Procedure for Welding.*—In order to maintain a high standard of workmanship in the practice of arc-welding to steel castings, the following general principles should be followed, but the precise technique will of necessity vary according to the circumstances.

Surface condition—The surfaces of the steel it is intended to weld should be cleaned and freed from all foreign matter, otherwise poor penetration and unsound weld metal may result.

The preparation for the welding of cracks should be of the U or V types. When the latter is used, the included angle should be not less than 70°. Where cracks extend through the section of the casting, the choice between single and double preparation, U or V, will be governed by (i) the thickness of the casting; (ii) the location of the defect. In double preparation, U or V, the root of the U or V should be sufficiently open to ensure complete penetration.

Electrodes.—The electrodes shall comply with regulations 94 to 98 for Grade A castings. Electrodes for Grades B and C castings should be agreed between the manufacturer and the Inspecting Officer.

The electrode manufacturer's recommendations for the use of the electrode should be strictly followed.

Pre-heating.—Variations in composition, mass design, and the extent of welding required make it impossible to lay down specific rules to establish conditions under which pre-heating should be applied.

When after consideration of each casting in the light of the above variables it is deemed necessary to pre-heat, such pre-heating should be carried out at a temperature of 150–300°C (302°–572°F).

Stress-relieving treatment.—When the welding is carried out after the casting has received its normal heat-treatment, a further heat-treatment may be considered necessary. This treatment need be applied only in cases where welding has been such as to induce either internal stresses which would be detrimental to the casting, or locally hardened areas which would cause difficulty in machining. Where this further heat-treatment is applied, the casting, where possible, should not be allowed to go cold after welding, but should be charged into a warm furnace and re-heated to a suitable tempering temperature which in general should be not less than 550°C (1022°F).

When considering the advisability of applying this further treatment, its effect on the physical properties of the castings should be borne in mind. If the treatment, or the welding itself, is such that the physical properties will be adversely affected, the full heat-treatment required to produce satisfactory qualities should be substituted."

21. For regulation 99, the following regulation shall be substituted, namely:—

"99. *Preparation of Plates.*—The edges of all plates and butt straps shall be machined or flame-cut by machine and the caulking edges shall be bevelled to an angle not sharper than 70 degrees to the plane of the plate and between 70 and 80 degrees wherever practicable.

Plates which are to be flame-cut by machine without heat-treatment or subsequent grinding or machining shall not have a carbon content higher than 0.26 per cent.

Where the carbon content exceeds 0.26 per cent., heat-treatment, grinding or machining shall be carried out.

The edges of all plates shall have a smooth finish."

22. In regulation 104.—(1) for clauses (a), (b) and (c), the following clause shall be substituted, namely:—

"(a) The calculated efficiencies of circumferential joints, based on the thickness of plate determined by Equation 1, shall be not less than 38 per cent. for joints connecting end plates with cylindrical shells, or 42 per cent. for intermediate joints. In no case, however, shall the efficiency of an intermediate joint be less than 50 per cent. of that of the longitudinal joints. Where the shell plate thickness exceeds 11/16 inch, the intermediate circumferential joints shall be double revetted."

(2) Clause (d) shall be relettered as clause (b).

23. In clause (a) of regulation 113, for the sentence "Alternatively, the end plates shall be built up by butt-welding—two pieces", the sentence "Alternatively, the end plates may be built up from two pieces by riveting or by fusion butt-welding." shall be substituted.

24. In clause (a) of regulation 114, for the expression " $1.5T \times 1/8$ in" the expression " $1.5T + 1/8$ " shall be substituted.

25. In clause (g) of regulation 122, after the expression "and are at", the expression "least 6 in." shall be inserted.

26. For clause (a) of regulation 126, the following clause shall be substituted, namely:—

"(a) The furnace crown shall be made from one plate and the seam connecting it to the furnace shall not fall in line with any circumferential seam of the boiler shell."

27. For clause (b) of regulation 127, the following clause shall be substituted, namely:—

"(b) Cross tubes shall not exceed 12 in. in internal diameter. The minimum thickness shall be $5/16$ in."

28. To clause (f) of regulation 135, the following paragraph shall be added, namely:—

"Alternatively stays may be screwed through the shell and fire box plates and the projecting ends shall be substantially fillet-welded in an approved manner. The projection of the end of the stay from the surface of the plate shall be not less than one quarter of the diameter of the stay but in no case less than $1/4$ in. The full end of the stay shall be visible on completion of the welding."

29. For regulation 145, the following regulation shall be substituted, namely:—

"145. Steel and Wrought Iron Tubes.—Both plain and stay smoke tubes may be made either of wrought iron or steel and may be electric resistance welded, lapwelded or weldless."

30. Regulation 146 shall be lettered as clause (b) of that regulation, and before the clause as so lettered, the following clause shall be inserted, namely:—

"(a) Plain tubes shall be expanded at both ends. The expanding shall be parallel throughout the full thickness of the tube-plate. Plain tubes may also be bell-mouthed, beaded, or welded at the gas inlet end."

31. Regulation 147 shall be lettered as clause (a) of that regulation and after the clause as so lettered, the following clause shall be added, namely:—

"(b) Stay tubes may be attached by welding in which case they shall not be adjacent within the same tube nest except in local areas, where not more than two adjacent stay tubes may be attached by welding. The form of attachment shall be such that there is a mechanical hold in addition to the welding, as shown in Figure 9A. On completion of welding the stay tubes shall be lightly re-expanded."

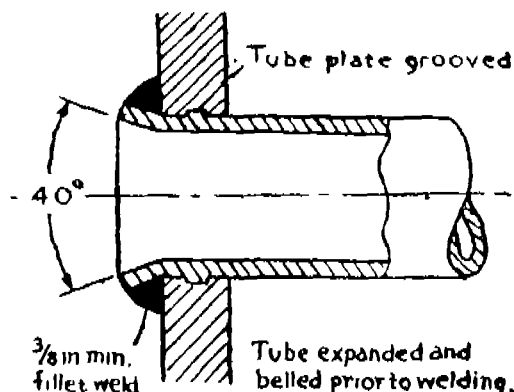


Fig 9A. Typical example of welded stay tube

32. For clause (a) of regulation 151, the following clause shall be substituted, namely:—

"(a) All tubes which are subject to internal pressure of water or steam shall be cold drawn or hot finished seamless or electric-resistance-welded in accordance with regulations 36 to 63. Except as provided for in clause (b) below, they shall be without joint."

33. In regulation 156, for the words, "The thickness of the forged stand pipes shall comply with table below", the words "Solid forged standpipes shall have a minimum thickness of flange and of body in accordance with the table below" shall be substituted.

34. In clause (b) of regulation 160, after the words "attached to", the words "shalls and" shall be inserted.

35. In clause (a) of regulation 169, for the second sentence, the following sentence shall be substituted, namely:—

"The strength of the net section of compensating ring and also of the rivets securing them to the shell, compared with that part of the shell cut out, shall not be less than the efficiency of the longitudinal seam."

36. Regulation 170 shall be lettered as clause (a) of that regulation and after the clause as so lettered, the following clause shall be added, namely:—

"(b) Riveted construction.—Where frames, pads or branches are secured by riveting on shells for fixing of mountings or other pressure parts, the sectional area to be compensated shall be determined as follows:— (See Fig. 25a).

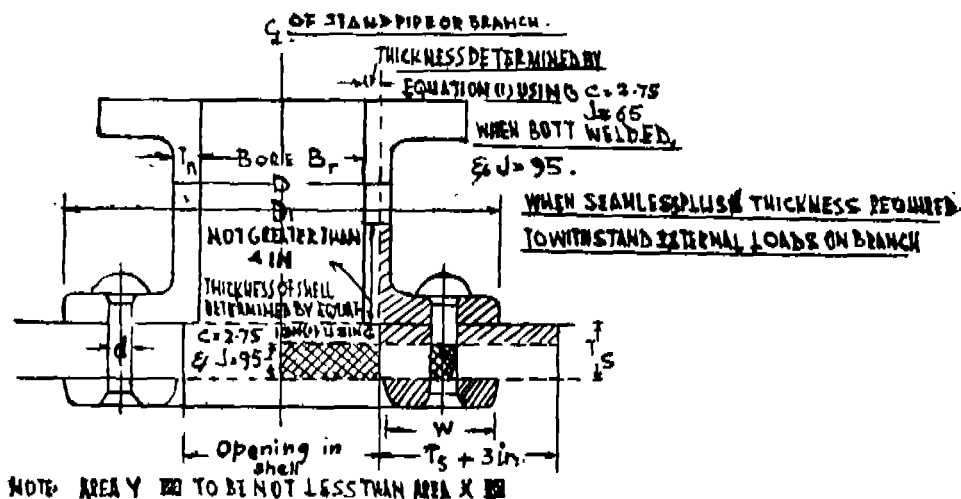


FIG. 25(a) COMPENSATION FOR RIVETED STANDPIPES

AREA TO BE COMPENSATED AND CORRESPONDING AREA ALLOWABLE FOR COMPENSATION.

- (1) The cross-sectional area of the frame or pad excluding rivet holes, or in the case of a branch the cross-sectional area of the wall of the branch and flange, excluding rivet holes, minus the sectional area of a branch of the same bore having a thickness calculated by equation 1 for the same design pressure, using $C=2.75$, $J=65$ when butt welded, and $J=95$ when seamless, plus the thickness required to withstand external loads. The area shall be measured within the limits specified in Figure 25-a.

Due allowance shall be made in case where the material used for the branch and/or compensating ring differs from that of the plate to which it is attached.

- (ii) The area obtained by multiplying the difference between the actual shell thickness and the calculated thickness, by a length $2(3 \text{ in.} + T_s - d)$.

T_s = Thickness of shell plate in inches.

d = diameter of rivet hole in inches.

In cases where the sum of (i) and (ii) is less than the sectional area to be compensated, a compensating plate shall be fitted having a total net cross sectional area equal to the amount of the deficit."

37. In regulation 190, for the figures "2.75" the figures "2.75" shall be substituted.

38. After clause (b) of regulation 197, the following clause shall be added, namely:—

"(c) The thickness of flat crown plates shall in no case be less than the thickness of the cylindrical portion to which it is attached."

39. In regulation 204, after the word "seamless" the words "or electric-resistance-welded" shall be inserted.

40. In regulation 240—

(i) In sub-clause (ii) of the clause (b) the word "British" shall be omitted.

(ii) in the table clause (d), for the three entries under the second column, the following entries shall be substituted, namely:—

"3/8.

1/2.

3/4."

41. After regulation 243, the following heading shall be inserted, namely:—
"TUBES, HEADERS, PIPES AND STEEL CASTINGS."

42. For clause (a) of regulation 244, the following clause shall be substituted, namely:—

"(a) Tubes shall be of cold drawn weldless or hot finished weldless or electric-resistance-welded steel and shall comply with regulation 36 to 63."

43. In regulation 250, after the word "chipping" the words "or flame cutting" shall be added.

44. For regulation 255, the following regulation shall be substituted, namely:—

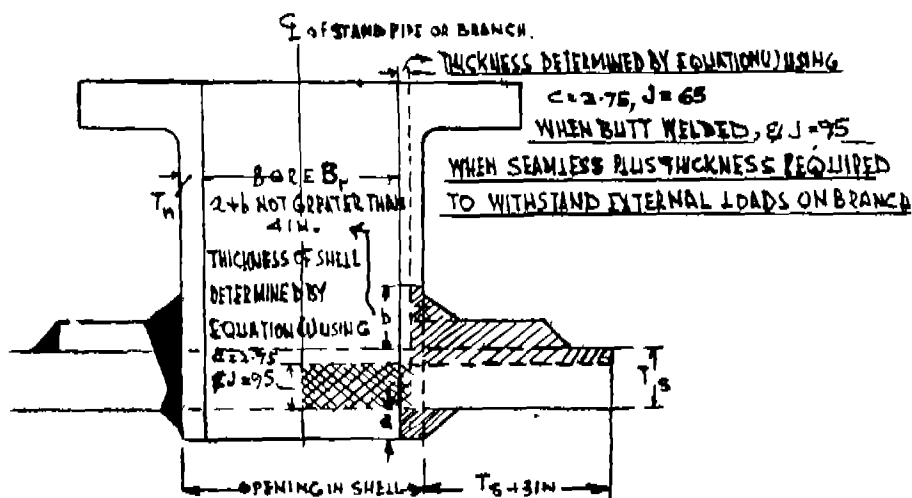
"255. *Position of two holes.*—Tube holes may be machined through welded seams after the seams have been radiographed and stress-relieved. The efficiency of the welded seam (ratio of stress Col. B to stress Col. A, Table under regulation 271) shall be taken into account when determining the efficiency of ligaments in the direction of the weld (see regulation 213) except where the distance from the edge of the hole to the edge of the weld is greater than 1/2 inch. The edge of the weld shall be considered to be the edge of the weld groove as machined in the plate prior to welding."

45. In regulation 263, for the expression "30 ft. lb.", the expression "20 ft. lb." shall be substituted.

46. In regulation 279.—(i) For clause (a), (b) and (c), the following clause shall be substituted, namely:—

"279. (a) Welded construction.—Where standpipes are secured by welding, adequate compensation for the hole cut for the standpipe shall be

provided. Compensation shall be considered adequate when the sectional area X to be compensated is less than the compensating area Y [see Fig. 25(b).]



NOTES: AREA Y TO BE NOT LESS THAN AREA X

FIG 25 (b) COMPENSATION FOR WELDED STANDPIPES

AREA TO BE COMPENSATED AND CORRESPONDING AREA ALLOWABLE FOR COMPENSATION

The sectional area X shall be calculated as follows:—

The product of the outside diameter of the standpipe (calculated by equation 72) and the thickness of an equivalent drum shell (see note at the end of the clause).

The compensation area Y shall be measured in plane through the axis of the standpipe parallel to the longitudinal axis of the drum and shall be calculated as follows:—

The sectional area of the standpipe minus the sectional area of a standpipe of the same bore having a thickness calculated by equation 72 for the same design pressure and temperature. Area Y shall be measured upto a point 4 in. from the outer surface of the drum shell.

Plus the cross sectional area of the welding fillets external to the drum shell.

Plus the area obtained by multiplying the difference between the actual drum shell thickness and the thickness of an equivalent seamless unpierced drum shell by a length $2(T_s+3)$ in. where T is the thickness of the drum shell plate in inches [see Fig. 25(b)].

Where the material of the standpipe has an ultimate tensile stress lower than that of the drum shell, the compensating sectional area of the standpipe shall be multiplied by the ratio:—

Ultimate tensile stress of the standpipe

Ultimate tensile stress of drum shell

In cases where Y is less than X, a compensating plate shall be fitted to drum shell at the standpipe and secured by fillet welds [see Fig. 25(b)].

NOTE.—An equivalent drum shell shall mean a seamless drum shell of similar material unpierced by tube holes and designed for the same conditions of pressure and temperature as the drum shell in question."

(ii) Clause (d) shall be lettered as clause (b).

47. In regulation 280, the following shall be substituted, namely:—

"280. *Attachment of stand blocks and branch pipes by welding.*—(a) Typical methods of attachment are shown in figures 24A, 24B, 24C, 24D, 26A, 26B, 26C, 26D, 26E, 27A and 27B.

All weld dimensions shown shall be regarded as minimum dimensions, those defining the grooves refer to the actual preparation for welding.

t_n = Specified thickness of standpipe or branch pipe.

t_s = Specified thickness of drum or header shell at standpipe or branch connection.

t_c = Actual thickness of compensating ring.

The application of certain of the constructions illustrated may be limited by consideration of design pressure, design temperature or size (in combination) and although certain dimensions are given, each case must be considered on its merits.

Other methods may be adopted subject to agreement between the Inspecting authority and manufacturer.

(b) Electrodes shall comply with the requirements of Regulations 94 to 98 (Covered Electrodes for Metal Arc Welding).

(c) Not less than two runs of metal shall be deposited at each weld. Each run of weld metal shall be thoroughly cleared and freed from slag before the next run is deposited.

Where one side of a double V weld has been completed, the under surface of the original run of metal shall be removed by grinding, chipping or machining to give a clean metallic surface before welding on the other side is commenced.

(d) The final finish of the weld shall be such that the change of section from drum to standpipe, or from flange to standpipe is gradual and free from sharp notches. After completion of welding (except in the case of seal welds) the drum shall be stress-relieved by heat-treatment."

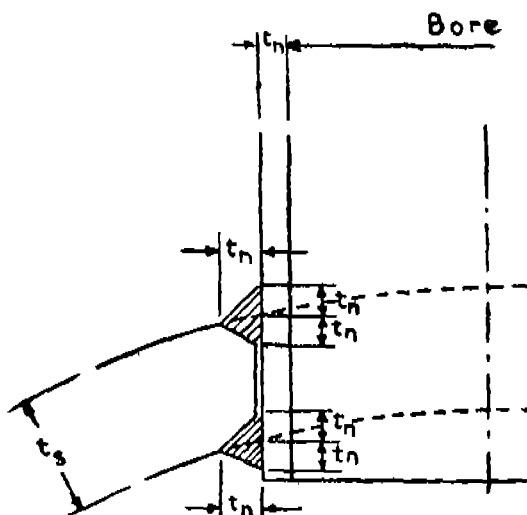


Fig. 24 A Welded-in standpipe or branch
For standpipes and branches up to and including 4 in. bore.

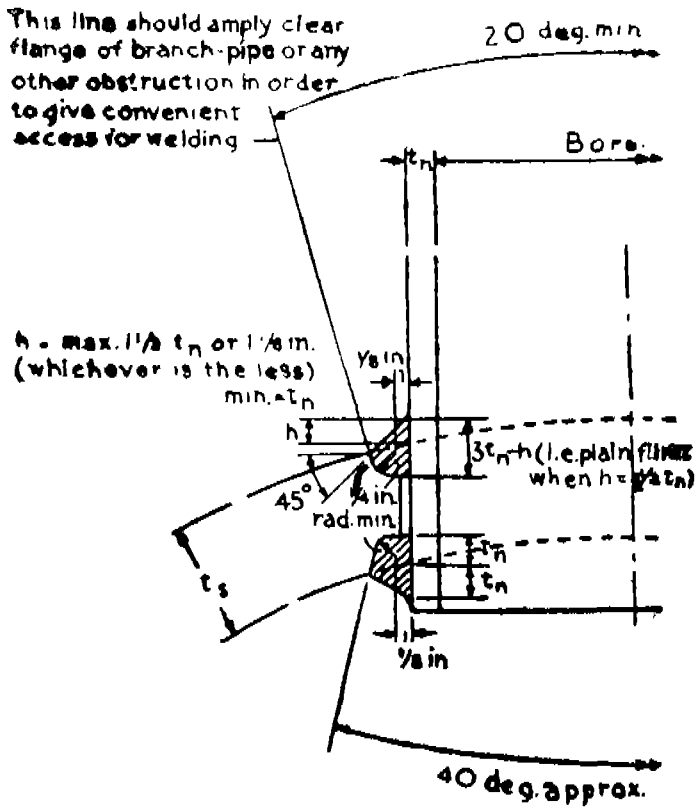


Fig. 24B. Weldolet in standpipe or branch for standpipes or branches up to and including 4 in. bore

This line should amply clear flange of branch pipe or any other obstruction in order to give convenient access for welding

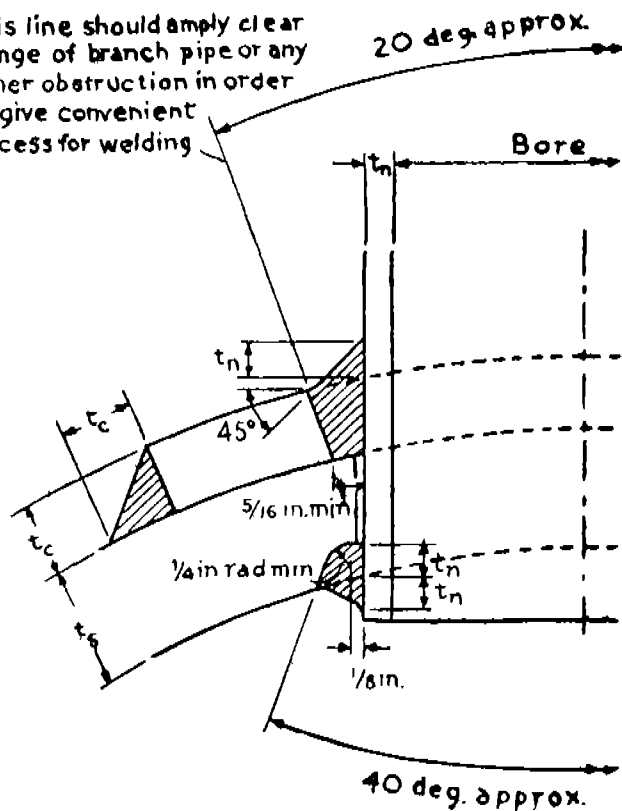


Fig. 24C Welded-in standpipe or branch with compensating ring for standpipes or branches up to and including 4 in. bore.

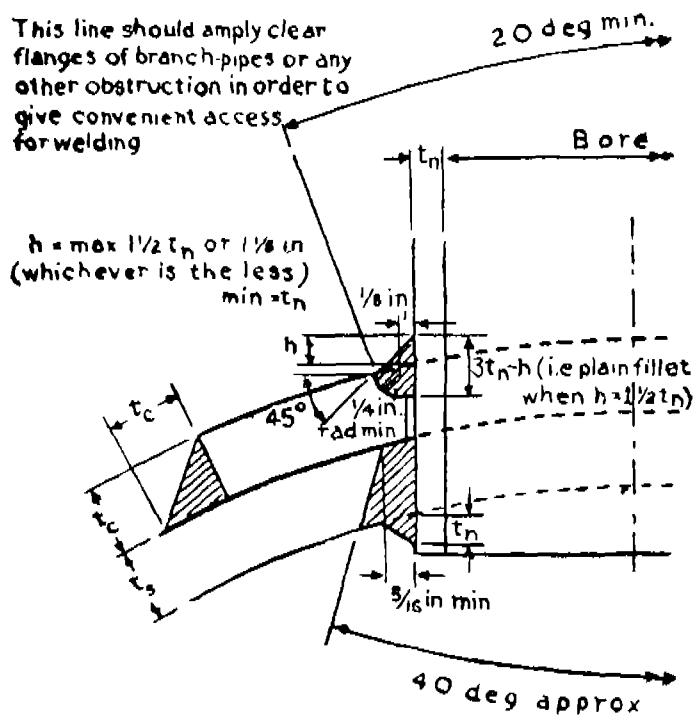
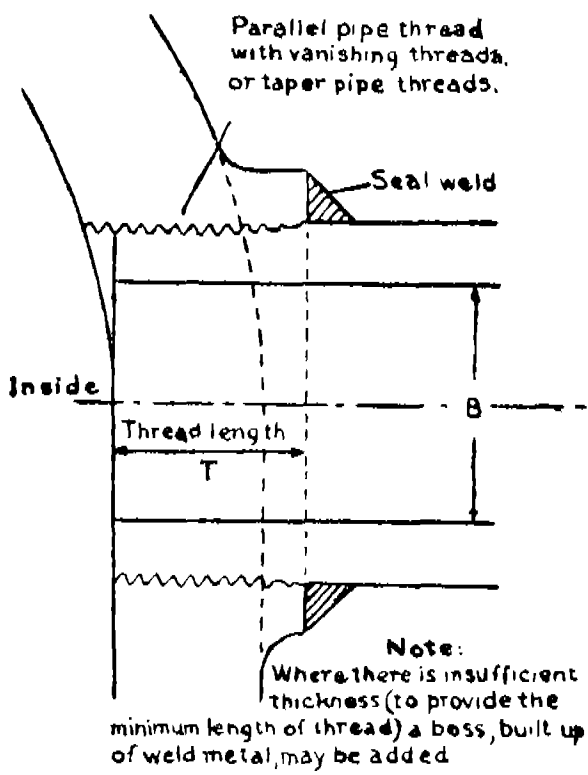


Fig 24D Welded-in standpipe or branch with compensating ring for standpipes and branches up to and including 4 in. bore.



Nominal bore of pipe B	Total length of thread (Minimum) (T)
in.	in
1½ and 1¼	1
1	¾
¾	¾
½ and below	¾

Fig. 26B. Screwed and seal welded connection

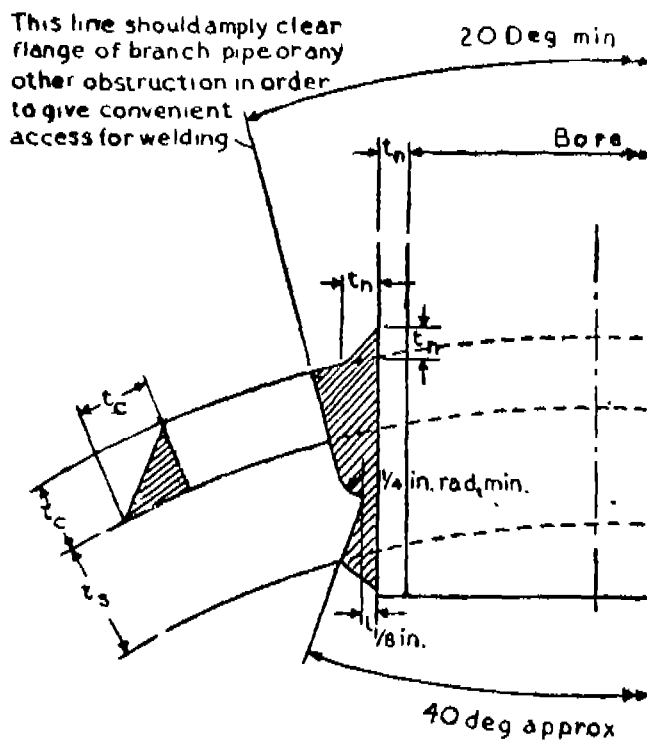


Fig. 26C. Welded-in standpipe or branch with compensating ring

This line should amply clear flange of branch pipe or any other obstruction in order to give convenient access for welding.

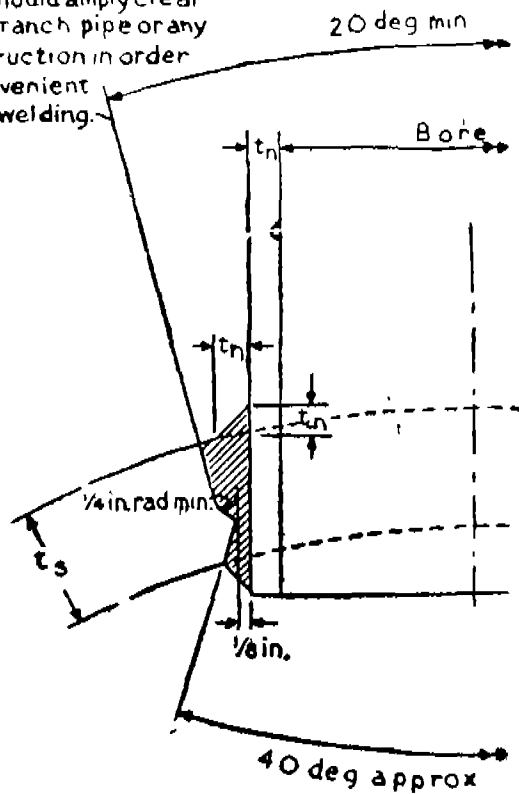


Fig. 26 D Welded-in standpipe or branch

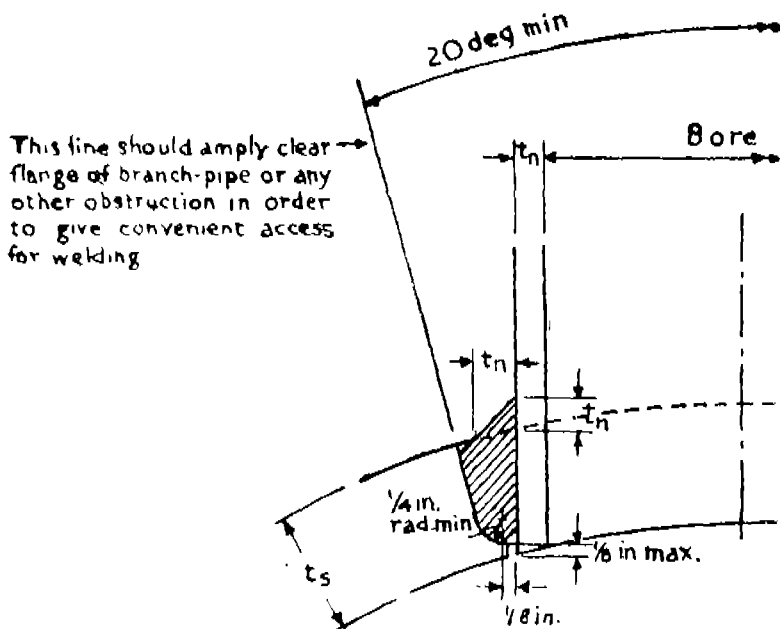


Fig. 26E. Welded-in standpipe or branch

This type of weld is not recommended where the inside of header or drum is accessible for welding.

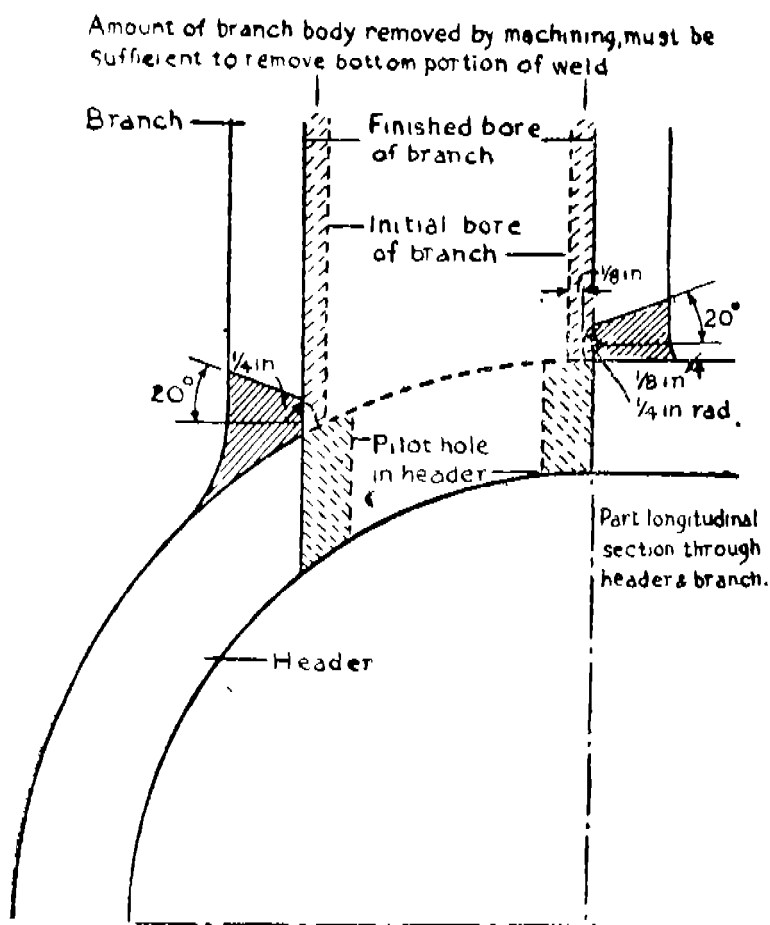


Fig 27A Branch welded on header with internal machining

- (2) for the existing heading to the second column of the Table, the heading "Low carbon steel tubes to regulation 36, 43 and 57" shall be substituted.

52. In Table 1 below clause (b) of regulation 344, under the heading "Hydraulic (water gas) Lapwelded Steel Pipes" in the second column for the figures "22", the figures "23" shall be substituted.

53. In regulation 353.—

- (i) in clause (a) for the word "may" between the words "pipes" and "be made", the word "shall" shall be substituted;
- (ii) clause (b) shall be omitted and clause (c) shall be re-lettered as clause (b).

54. In clause (c) of regulation 360, the following clause shall be substituted, namely:—

"(c) Such butt welded joint shall conform to Figure 32."

55. In clause (a) of regulation 361, for the entry against the item "Bore Over 9 in. up to and including 12", the entry "R=4Xd" shall be substituted.

56. For the table below regulation 504, the following table shall be substituted, namely:—

On Components before assembly		Hydraulic test pressure	
Cast iron tubes, headers and bends		Twice working pressure Minimum pressure 700 lb. per sq. in.	
	Design in.	pressure lbs/sq. in.	Hydraulic test Pressure lbs./sq. in.
Steel tubes and bends	500 or less		1,000
Ditto.	above 500 but not exceeding 1,000		Twice the working pressure
Ditto.	above 1,000		1,000 above the working pressure.
Headers	below 1,000		Twice the working pressure.
Ditto.	above 1,000		Working pressure plus 1,000 lbs./sq. in.

57. In the marginal note to regulation 505 the words "Material of construction" shall be deleted.

58. For regulation 506, the following regulation shall be substituted, namely:—
"506. PROCESS OF MANUFACTURE.—

- (a) The castings shall be cast from metal melted or refined in any suitable metallurgical plant other than an iron ore smelting furnace.

The minimum test results required on test bars 1:2 in. in diameter shall be in accordance with the following table:—

Material for tubes and other pressure parts.		Minimum ultimate tensile strength	Transverse test on span of 18 in.	
			Minimum Transverse breaking load.	Minimum deflection
		Tons/sq. in.	lb.	in.
Grade 14 iron		14.0	2060	0.16
Grade 12 iron		12.0	1850	0.15

NOTE.—Grade 14 and 12 iron correspond to 14 tons and 12 tons ultimate tensile strength respectively.

- (b) In the chemical composition the maximum sulphur content shall not exceed 0.12 per cent and the maximum phosphorus shall not exceed 1.2 per cent."

59. In clause (c) of regulation 507 between the words "green sand" and "or dry sand" the word "loam" shall be inserted.

60. In regulation 508.—

(i) In the table in clause (a), in the entry in the column headed "Test requirements" against Group 3, for the figure "4" the figure "3" shall be substituted;

(ii) for clauses (b) and (c) and the tables under them, the following shall be substituted, namely:—

Test	Result	Conclusion
1st	Pass	The batch of separate castings represented shall be accepted.
	Tensile or Transverse test fails.	Two more tests shall be made.
2nd	If both pass	The batch or separate castings represented shall be accepted.
	If either fails	The batch of separate castings represented shall be rejected.

Provided always that, in the case of failure of any test piece showing obvious casting defects, another test piece shall be taken from spare test bars or cut from a casting from the same batch and the results obtained from this substituted for those obtained from the defective test bars.

61. In regulation 509, the table shall be amended as follows:—

B	D	A	P	R	C	E	F	Lp	Ls
in.	in.	in.	in.	in.	in.	in.	in.	in.	in.
1.20	0.798	.50	2	3½	2	1-1/8 BSF 1-1/8 BSW	1-1/8	8½	5-7/8

The test bars shall be cast as cylindrical bars of the diameters given in Col. B and machined to the dimensions given in Cols. D & P in the above Table.

62. For regulation 510, the following regulation shall be substituted, namely:—

"510. The manufacturer shall, on the basis of design details, satisfy the Inspecting Authority regarding the design and strength of all parts of cast iron economisers subject to the following maximum working pressures:—

Max. W. P.

- | | |
|--|-----------------|
| (1) Ordinary Vertical Tube | 325 lb/sq. in. |
| (2) Ordinary Vertical Tube with strengthened tubes | 375 lb/sq. in. |
| (3) Ring Stay Vertical Tube | 475 lb/sq. in. |
| (4) Gill Tube type of approved design | 650 lb/sq. in." |

63. For regulation 512, the following regulation shall be substituted, namely:—
"512. Economiser water outlet temperature—

The design conditions shall be such that the maximum outlet water temperature of the economiser shall be 40 Fahrenheit degrees below the saturated steam temperature in the boiler drum;

Provided that this requirement shall not apply to economisers used on low pressure water heating systems working at pressure less than 120 ft. head of water."

64. For Regulation 518, the following regulation shall be substituted, namely:—

“518. Joint bolts, studs and flanges—

(a) The maximum working pressure for the bolts shall be determined by the following formula:—

$$W.P. = \frac{N \times C}{A} \left\{ D - \frac{1.28}{n} \right\}^2 \dots \text{Eqn. (121)}$$

N=No. of bolts securing the parts.

n=No. of screw threads per inch.

D=Bolts Diameter in inches measured over the threads.

A=The area exposed to pressure which is assumed to be bounded by a line midway between the pitch line of the bolts and the inner edge of the flange where flat joints are used with joint rings. Where conical joint faces are used with joint rings, of curvilinear cross section, the area exposed to pressure shall be assumed to extend to the root of the thread where the tube ends are screwed, or to a corresponding boundary if the flanges are attached by other means.

C=4,700 for steel bolts or studs of 28 tons/sq. in. minimum ultimate tensile stress where the diameter over thread is less than 3/4 inch.

C=5,100 for steel bolts or studs of 30 tons/sq. in. minimum ultimate tensile stress where the diameter over thread is less than 3/4 inch.

C=5,600 for steel bolts or studs of 35 tons/sq. in. minimum ultimate tensile stress where the diameter over thread is less than 3/4 inch.

C=5,600 for steel bolts or studs of 28 tons/sq. in. minimum tensile stress where the diameter over thread is not less than 3/4 inch and not greater than 7/8 inch.

C=7,000 for steel bolts or studs of 28 tons/sq. in. minimum ultimate tensile stress where the diameter over thread is greater than 7/8 in.

Where the bolts or studs used have a tensile strength exceeding 32 tons/sq. in., a plate shall be permanently fixed to the economiser structure in a prominent position drawing attention to this fact in case replacements of bolts or studs are necessary. In no case shall the nuts be exposed to the action of the flue gases.

(b) The thickness of each flange shall be not less than that given by the following equation:

$$t = \frac{PD(D_1 - D)}{2}$$

Where t=Thickness of flange in thirty-seconds of an inch.

P=Working pressure, in pounds per square inch (gauge).

D=Outside diameter of the tube in inches.

D₁=Pitch circle diameter of bolts or studs in inches, provided that such flange is cast integral with the body and with the appropriate internal corner radius.

In no case, however, shall the thickness of a flange be less than 24 thirty-seconds of an inch.”

65. In Regulation 519—

(i) for clause (f), the following clause shall be substituted, namely:—

“(f) Non-return valves in return feed line.”

(ii) after clause (i), the following clauses shall be added, namely:—

“(j) Feed-Line.—Alternative means of feeding the boiler, other than through the economiser, shall be provided.

(k) Non-return valve.—A valve shall be provided in the hot feed line between the economiser and the boiler to prevent the discharge of or water from the boiler into the economiser.”

66. In regulation 524, for the words “and caps removed”, the words “and all caps, doors and blank flanges removed” shall be substituted.

67. For clause (b) of regulation 25, the following clause shall be substituted, namely:—

“(b) The fitness of the economiser parts shall be determined as per the following formulae:—

(i) Cast iron smooth tube economisers with pressed socket joints.

$$WP = \frac{AZ}{70a} \text{ plus } \frac{225N}{n} \text{ Equation (124)}$$

Where WP = Design pressure in pounds per square inch (gauge).

A = Area of contact surface of a single socket, square inches.

a = Cross sectional area measured on the mean diameter of a socket hole, in square inches.

Z = Breakdown load of an unreinforced socket joint in pounds.

N = Number of stays per header.

n = Number of sockets per header.

For existing standard designs the breakdown load of an unreinforced socket joint shall be taken as not greater than 13,500 lb. For designs not already in use before the date of this standard, the corresponding figure shall be taken as not greater than 75 per cent. of the load as determined by experiment.

(ii) Headers of approximately rectangular cross section

$$WP = \frac{C(t-2)^2}{b^2} \text{ Equation (125)}$$

Where t = Thickness in thirty-seconds of an inch.

b = Distance between the sides of header supporting the surface, in inches.

WP = Design pressure, in pounds per square inch (gauge).

$C=11$ where the water side surface is flat.

$=22$ where the water side surface is curved, provided that the curvature is continued without interruption and the thickness at each end of the side is not less than that determined with $C=11$.

In no case, however, shall the thickness of the side of a header be less than 16 thirty-seconds of an inch at any part.

$C=4$ for portion where gills act as reinforcement, 5 for portions not reinforced.

(iii) Headers of approximately circular cross section.

$$WP = \frac{0.6K(t-5)}{D} \text{ Equation (126)}$$

Where t = Thickness in thirty-seconds of an inch.

WP = Design pressure, in pounds per square inch (gauge).

D = Outside diameter of header in inches.

$K=240$ for Grade 14 iron.

$=220$ for Grade 12 iron.

The minimum thickness of plain cylindrical portions of a header in that part of the length which does not contain tube holes shall comply with the requirements of sub-clause (V).

In no case, however, shall the thickness at any point be less than 16 thirty-seconds of an inch.

(iv) Tubes.

$$WP = \frac{K(t-C)}{D} \text{ Equation (127)}$$

Where t = Thickness in thirty-seconds of an inch.

WP = Equation (127).

WP = Design pressure, in pounds per square inch (gauge).

D = Outside diameter of tube in inches.

$K=240$ for Grade 14 iron.

$=220$ for Grade 12 iron.

In no case, however, shall the thickness at any point be less than 11 thirty-seconds of an inch.

(v) Manifold pipes.

$$WP = \frac{0.8^k (t-5)}{D} \text{ Equation (128)}$$

Where t = Thickness in thirty-seconds of an inch.

WP = Design pressure, in pounds per square inch (gauge).

D = Outside diameter of pipes in inches.

K = 240 for Grade 14 iron.

= 220 for Grade 12 iron.

In no case, however, shall the thickness of a manifold pipe or branch be less 14 thirty-seconds of an inch.

(vi) Cast iron economisers with extended surface horizontal tubes.

Connector Bends—

$$WP = \frac{K(t-5)}{D} \text{ Equation (129)}$$

Where t = Thickness of bend in thirty-seconds of an inch.

WP = Design pressure in pounds per square inch (gauge).

D = Outside diameter of bend in inches.

K = 240 for Grade 14 iron.

= 220 for Grade 12 iron.

In no case, however, shall the thickness of a connector bend be less than 13 thirty-seconds of an inch.

(vii) Tubes.

To comply with equation 127.

(viii) Manifold pipes.

To comply with equation (128)".

68. At the end of the last paragraph of Form VII, the words "in accordance with Regulation 504" shall be added.

[No. BL-304(10)/52.]

M. N. KALE, Secy.

New Delhi, the 18th December 1954

S.R.O. 3609.—In pursuance of clause (a) of section 2 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950), the Central Government hereby authorises the District Magistrate of Ajmer to perform the functions of a Competent Authority under the said Act for the whole of the State of Ajmer.

[No. WII-70(7)/54.]

M. N. IENGAR, Dy. Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 14th December 1954

S.R.O. 3610.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (X of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 17 of the said Act shall not apply to any banking company in so far as the said

provisions have the effect of preventing appropriation from the reserve fund maintained in terms of the said section for the purposes of writing off the amount of losses on its investments in Government securities before declaring a dividend out of its net profits for the calendar years 1954 and 1955.

[No. F. 4(235)-F.I/54.]

N. C. SEN GUPTA, Dy. Secy.

New Delhi, the 20th December 1954

S.R.O. 3611.—In exercise of the powers conferred by sub-section (1) of section 289B of the Indian Companies Act, 1913 (VII of 1913) the Central Government hereby appoints Shri Ram Nath to be a member of the Commission in place of Shri N. Sundaresan with effect from 1st January, 1955, and directs that the following amendment shall be made with effect from the same date in the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs), No. S.R.O. 1121, dated the 24th July, 1951, namely:—

In the said notification for the entry relating to Shri N. Sundaresan the following entry shall be substituted namely:—

“2. Shri Ram Nath”.

[No. 23(37)-ICL/51.]

P. D. KASBEKAR, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

INCOME-TAX

New Delhi, the 10th December 1954

S.R.O. 3612.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government is pleased to appoint Shri N. K. Saxena to be a Commissioner of Income-tax.

[No. 69.]

K. B. DEB, Under Secy.

CENTRAL EXCISES

New Delhi, the 25th December 1954

S.R.O. 3613.—In exercise of the powers conferred by rule 8 of the Central Excise Rules, 1944, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India in the Ministry of Finance (Revenue Division), No. 28-Central Excises, dated the 29th May, 1954, namely:—

In the said notification, for clause (iii) of the first proviso, the following clause shall be substituted, namely:—

“(iii) (a) except as provided in sub-clause (b), such grading is done before the tobacco is purchased by, or on behalf of, manufacturers of cigarettes from licensed curers, or from bonded warehouses, in the producing areas;

(b) in respect of tobacco purchased at the buying courts of manufacturers of cigarettes or their agents from holders of curers' private bonded storeroom such grading may be permitted to be done after the purchase.”

2. The amendment hereby made shall be deemed to have taken effect on and from the 29th May, 1954

[No. 51.]

W. SALDANHA, Dy. Secy.

CUSTOMS

New Delhi, the 25th December 1954

S.R.O. 3614.—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (VIII of 1878), is published, as required by sub-section (3) of section 43B of the said Act, for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the expiry of a period of one month from the date of publication of this notification in the official Gazette.

Any objection or suggestion which may be received by the undersigned from any person with respect to the said draft within the period specified will be considered by the Central Government.

DRAFT RULES

1. Short title.—These rules may be called the Customs Duties Drawback (Cigarettes) Rules, 1954.

2. Definitions.—In these rules, unless the context otherwise requires—

- (a) the 'Act' means the Sea Customs Act, 1878 (VIII of 1878);
- (b) 'cigarettes' mean cigarettes manufactured in India by a registered manufacturer, with tobacco wholly foreign or tobaccos partly foreign and partly indigenous;
- (c) 'foreign tobacco; with its grammatical variations, means tobacco grown in any country outside India (other than Pakistan and Burma) and imported into India on payment of duty as unmanufactured tobacco;
- (d) 'registered manufacturer' means a manufacturer of cigarettes who is registered under rule 5 for the purpose of these rules; and
- (e) 'section' means any section of the Act.

3. Cigarettes in respect of which drawback may be paid.—Subject to the provisions of the Act and these rules, a drawback shall be paid in the case of cigarettes manufactured in India by a registered manufacturer and exported or shipped as stores for use on board a ship proceeding to a foreign port by such registered manufacturer, in respect of foreign tobacco used in the manufacture of such cigarettes.

4. Period for which drawback is permissible.—A drawback under these rules shall be allowed for the period during which a notification in respect of cigarettes is in force under sub-section (1) of section 43B.

5. Registration of manufacturers.—(1) A drawback permissible under these rules shall apply only in respect of cigarettes manufactured by a person registered under, and for the purposes of, these rules by a Chief Customs Officer, authorised in this behalf by the Chief Customs Authority, (hereinafter referred to as the authorised Chief Customs Officer).

(2) An application for registration shall be made by a manufacturer to the authorised Chief Customs Officer, furnishing particulars of—

- (i) the different brands of cigarettes in respect of which registration is desired,
- (ii) the net weight of indigenous tobacco and of foreign tobacco used in one thousand cigarettes of every such brand, and
- (iii) such other information as the authorised Chief Customs Officer may require for the purposes of these rules.

(3) The authorised Chief Customs Officer may, if he is satisfied that the provisions of these rules have been complied with, register the applicant as a registered manufacturer.

(4) Subsequent to such registration, a registered manufacturer shall not alter the quantity of foreign tobacco or the proportion of foreign and indigenous tobaccos in any of the brands of cigarettes in respect of which he is registered, except with the prior approval of the authorised Chief Customs Officer.

(5) Any alteration of the quantity of foreign tobacco or of the proportion of indigenous and foreign tobaccos used in the manufacture of cigarettes, in contravention of the provisions of the fore-going sub-rule shall render the registration of the manufacturer liable to be cancelled in addition to any other punishment to which the manufacturer may be liable under the Act.

6. Manner of allowing drawback.—A drawback shall be allowed on the shipment of cigarettes by a registered manufacturer, subject to the following conditions, namely—

(1) (a) that the registered manufacturer shall make a declaration on the relative shipping bill—

(i) that a claim for the drawback under section 43B is being made, and

(ii) that the quantity of foreign tobacco or the proportion of foreign and indigenous tobaccos in any of the brands of cigarettes tendered for export has not been altered, subsequent to registration except under and in accordance with sub-rule (4) of rule 5; and

(b) the registered manufacturer shall, in the shipping bill, furnish, in addition to the particulars required under section 29, such additional particulars as may, in the opinion of the Customs Collector, be necessary for the purposes of these rules and, in particular, the Customs Collector may require such additional information in respect of the following matters, namely—

(i) the different brands of cigarettes,

(ii) the number of cigarettes,

(iii) the net weight of the cigarettes,

(iv) the net weights of total tobacco and of foreign tobacco in such cigarettes, in respect of every such brand, and

(v) the registration number.

(2) The declaration by the registered manufacturer of the quantity of foreign tobacco or the proportion of foreign and Indian tobaccos in the cigarettes tendered for export shall be checked and verified by one or more officers of Central Excise attached to the factory in which cigarettes are manufactured, or by such other officer of Customs or Central Excise as may be empowered in this behalf by the authorised Chief Customs Officer.

7. Rate of drawback.—Where the Customs Collector is satisfied that the claim for a drawback is established under these rules, such drawback shall be paid at the rate of rupees eight, annas nine and pies nine per pound of foreign tobacco contained in the cigarettes shipped.

8. Powers of Customs Collector.—For the purposes of enforcing these rules, the authorised Chief Customs Officer or the Customs Collector may require the registered manufacturer to produce any books of accounts or other documents of whatever nature relating to the foreign tobacco used in the manufacture of the cigarettes shipped or entered for shipment under claim for drawback.

9. Access to manufactory.—A registered manufacturer shall be bound to give access to an officer of the Central Government authorised in this behalf by the authorised Chief Customs Officer to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for drawback.

[No. 169.]

S.R.O. 3615.—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (VIII of 1878), is published, as required by sub-section (3) of section 43B of the said Act, for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the expiry of the period of one month from the date of the publication of this notification in the official Gazette.

Any objection or suggestion which may be received from any person with respect to the said draft before the expiry of the period will be considered by the Central Government.

DRAFT RULES

1. Short title.—These rules may be called the Customs Duties Drawback (Electric Fans) Rules, 1954.

2. Definitions.—In this rules, unless the context otherwise requires,—

(a) 'the Act' means the Sea Customs Act, 1878 (VIII of 1878),

(b) 'imported materials' means the following materials imported on payment of customs duty by a registered manufacturer, namely:—

Electric winding wires, nichrome resistance wires, condensers, leatheroid paper, empire cloth, empire sleeveings, fibre sheet, Parker Kalon type 'U' drive screws, self oiling bush bearing and mild steel steam pipe;

(c) 'quarter' means a period of three months beginning with the first day of January, the 1st day of April, the 1st day of July or the 1st day of October;

(d) 'electric fans' means electric fans of the following descriptions manufactured in India by a registered manufacturer and exported or shipped as stores on board a ship proceeding to a foreign port, namely:—

ceiling fans, table fans, air circulators and cabin fans;

(e) 'registered manufacturer' means a manufacturer in India of electric fans, registered under rule 5; and

(f) 'section' means a section of the Act.

3. Goods in respect of which drawback may be allowed.—Subject to the provisions of the Act and these rules, a drawback shall be allowed in the case of electric fans (hereinafter referred to as the goods) manufactured in India by a registered manufacturer and exported therefrom, or shipped as stores on board a ship proceeding to a foreign port, in respect of all or any of the imported materials used in the manufacture of such goods.

4. Period for which drawback admissible.—A drawback under these rules shall be admissible for a period during which a notification in respect of the goods is in force under sub-section (1) of section 43B.

5. Registration of manufacturers.—(1) A drawback admissible under these rules shall apply only in respect of such goods as have been manufactured by a person who has, in accordance with the provisions of these rules, been registered by a Chief Customs Officer authorised in this behalf by the Chief Customs Authority (hereinafter referred to as the authorised Chief Customs Officer).

(2) An application for registration shall be made by a manufacturer of the goods to the authorised Chief Customs Officer, specifying the models, brands, code numbers, sizes and other requisite particulars of the goods in respect of which registration is desired and shall, in respect of each such model, brand, code number, size and other particulars, furnish—

(a) the description and quantity of imported materials used in the manufacture of one hundred units; and

(b) the average amount of customs duty, based on the values and rates of duties on importations during the preceding six months or such longer period in respect of any material as the Customs Collector may deem necessary, on the quantities referred to in the last preceding clause.

(3) The authorised Chief Customs Officer may, after verification of the information so furnished, register the applicant as a manufacturer for the purpose of these rules.

(4) The registered manufacturer shall not, subsequent to registration, vary the quantities and varieties of imported materials used in the manufacture of the different models, brands and sizes, in respect of which registration has been allowed, save with the previous approval of the authorised Chief Customs Officer.

(5) Any registered manufacturer who contravenes the provisions of sub-rule (4) shall be liable to have his registration cancelled besides any other penalties to which he may be liable under the Act and these rules.

6. Rate of drawback.—(1) Where the Customs Collector is satisfied that the claim for a drawback is established under these rules, such drawback shall be paid at the rate indicated hereunder.

(2) The rate of drawback of duty admissible under these rules on the shipment of the goods in the prescribed manner shall be seven-eighths of the average amount of duty paid on all or any of the imported materials used in the manufacture of the particular model, brand or size of electric fans.

(3) The rate of drawback shall be determined by the authorised Chief Customs Officer at the beginning of every quarter, in respect of each model, brand or size of the goods manufactured by a registered manufacturer and shall be calculated on the basis of the statements furnished by such registered manufacturer and duly verified by a Customs Officer, of the average value of the imported materials used in the manufacture of each such brand, model or size and the duty paid thereon, such calculation being based on the value of imports in the preceding six months or such longer period in respect of any imported material as the Customs Collector may deem proper.

(4) The rate of drawback so determined shall be in force for the quarter in which it has been determined under sub rule (2) and shall apply to shipments made during that quarter from any port in India.

7. Manner of allowing drawback.—A drawback shall be allowed on the shipment of the goods from any port in India, subject to the following conditions, namely:—

(a) the registered manufacturer shall make a declaration on the relative shipping bill—

- (i) that a claim for the drawback under section 43B is being made; and
- (ii) that the quantities and varieties of imported materials used in the manufacture of the models, brands or sizes under shipment have not been varied subsequent to registration except in accordance with the provision of sub rule (4) of rule 5;

(b) the shipper shall, in the shipping bill, furnish, in addition to information required under section 29, such additional information as may, in the opinion of the Customs Collector, be necessary for verifying the claim for a drawback, and in particular the Customs Collector may require such additional information in respect of the following matters, namely:—

- (i) the description of the goods, including the model, brand, variety, code number, size and such similar specifications attached to the goods; and
- (ii) the name of the registered manufacturer, his registration number and the authority or officer by whom he was registered.

8. Powers of Customs Collector.—For the purposes of giving effect to these rules, the Customs Collector may require a registered manufacturer to produce any books of accounts or other documents of whatever nature relating to the proportion and quantity of different imported materials used in the manufacture or assembly of the goods, the value of such imported materials and the duty paid thereon.

9. Access to manufactory.—A registered manufacturer of goods in respect of which a drawback is claimed under these rules shall be bound to give access to every part of his manufactory to any officer of the Central Government, specially authorised in this behalf by the Chief Customs Officer or the Chief Customs Authority, to enable the officer so authorised to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for a drawback.

[No. 170.]

JASJIT SINGH, Dy. Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 10th December 1954

S.R.O. 3616.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that Shri N. K. Saksena, who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform his functions under the said Act in respect of the areas comprised in the States of Delhi, Ajmer, Rajasthan and Madhya Bharat and in respect of such persons or such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided that he shall not perform his functions in respect of such persons or such cases as have been or may be transferred by the Central Board of Revenue to any Incometax Authority outside his jurisdictional areas.

[No. 70.]

New Delhi, the 14th December 1954

S.R.O. 3617 In exercise of the powers conferred by sub-section (6) of section 5 of the Indian Incometax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in its notification S. R. O. 1214 (No. 44-IT dated the 1st July 1952, namely :—

In the schedule appended to the said notification—

(1) In column 2, against Serial No. 2, for the existing entry the following entry shall be substituted, namely :—

“Employees of the Southern Railway except those under the audit of the Regional Account Officer, Southern Railway, Mysore”;

(2) In column 3, against Serial No. 2, the word “Third” shall be omitted.

(3) In column 4, against Serial Nos. 1, 2 and 3 for the existing entry the following entry shall be substituted, namely :—

“Inspecting Assistant Commissioner of Income-tax, Range 1, Madras”.

(4) After Serial No. 2, the following item shall be inserted, namely :—

1	2	3	4	5	6
2-A	Employees of the Southern Railway who are under the audit of the Regional Accounts Officer, Southern Railway, Mysore.	Additional Incometax Officers Salary Circle, Bangalore.	Inspecting Assistant Commissioner of income-tax, Bangalore.	Appellate Assistant Commissioner of income-tax, Bangalore.	Commissioner of Income-tax, Mysore. Travancore-Cochin, Bangalore.

(5) In columns 3 and 4 against Serial Nos. 77 (1), 77 (2), 77(3) and 77(4), for the existing entries, the following entries respectively shall be substituted, namely :—

3 Incometax Officer, Pal- ghat	4 Inspecting As- sistant Com- missioner of incometax, Coimbatore Range, Coim- batore.
Income-tax Officer, salem. Incometax Officer, Kar- raikudi.	Do. Inspecting sistant Co- missioner come tax Madhu
Income-tax Officer, Tiru- nelveli.	Inspe- cist ml T

New Delhi, the 15th December 1954

S.R.O. 3618.—In pursuance of sub-section (6) of Section 5 of the Indian Income-tax Act 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the Schedule appended to its notification S.R.O. 1214 (No. 44-I.T.), dated the 1st July 1952, namely :—

In the said schedule—

- (1) in Column 4, against S. No. 61, for "Inspecting Assistant Commissioner, Southern Range, Patna" substitute "Inspecting Assistant Commissioner, Southern Range, Ranchi";
- (2) in Column 2, against S. No. 64, for "European Mental Hospital" "substitute" Hospital for Mental Diseases";
- (3) in Column 2, against S. No. 66, for the existing entry, the following entry shall be substituted, namely :—

"Employees, whose salary is disbursed by the Secretary Indian Lac Cess Committee Ranchi, excluding persons, any part of whose income is derived from the exercise, of a profession." ;
- (4) for items (81) to (106) of S. No. 77 the following items shall be substituted, namely :—

	2.	3	4	5	6
(81) Jeypur	.	I. T. O., Rayagada.	I.A.C., ern Ranchi	A.A.C., Cuttack Range,	Commissioner of Income-tax, Bihar and Orissa, Patna.
(82) Saraikala.	.	I.T.O., Singhbhum Circle, Jamshedpur,	Do.	Do.	Do.
(83) Kharswan.	.	Do.			
(84) Banai.	.	I.T.O., Jhar- suguda Circle.	Do.	Do.	Do.
(85) Rairakhol.	.	Do.	Do.	Do.	Do.
(86) Sonaptur.	.	Do.	Do.	Do.	Do.
(87) Patna	.	I. T. O., Rayagada Circle.	Do.	Do.	Do.
(88) Kalahandi.	.	Do.	Do.	Do.	Do.
(89) Bamra.	.	I.T.O., Jhar- suguda Circle.	Do.	Do.	Do.
(90) Gangpur.	.	Do.	Do.	Do.	Do.
(91) Boudh	.	I.T.O., Berha- pur, Circle.	Do.	Do.	Do.
taghar.	.	I.T.O., Cuttack Circle.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Do.	Do.	Do.	Do.
	.	Baripa-	Do.	Do.	Do.
	.	e. ttack	Do.	Do.	Do.
	.	a-	Do.	Do.	Do.
	.		Do.	Do.	Do.
	.		Do.	Do.	Do.

ESTATE DUTY

New Delhi, the 20th December 1954

S.R.O. 3619.—In pursuance of the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953) and in partial modification of the notification of the Central Board of Revenue, No. 5-ED, dated the 4th December, 1953 the Central Board of Revenue hereby directs that in respect of the estates of non-resident non-domiciled deceased persons the Controller of Estate Duty functioning within the local limits of the jurisdiction of the High Court to which, or to a court subordinate to which, an application for the grant of representation for the estates of such deceased persons has been made, shall exercise all the powers conferred on the Controller of Estate Duty by the said Act.

[No. 18.]

R. K. DAS, Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Agriculture)

New Delhi, the 14th December 1954

S.R.O. 3620.—In pursuance of Section 7(1) of the Indian Coconut Committee Act 1944, (Act No. X of 1944) the Central Government is pleased to appoint Shri P. A. Gopalkrishnan, I.C.S., Joint Secretary, to the Government of India, Ministry of Food & Agriculture, as President Indian Central Coconut Committee with effect from the 7th December, 1954, vice Shri K. B. Damle, I.C.S., resigned.

[No. F. 21-80/54-Com-I.]

R. L. MEHTA, Dy. Secy.

(Agriculture)

New Delhi, the 15th December 1954

S.R.O. 3621.—In exercise of the powers conferred by Sub-section (2) of Section 4 of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government hereby nominates Shri P. A. Gopalkrishnan, I.C.S., Joint Secretary to the Government of India, Ministry of Food and Agriculture, to be the Chairman of the Governing Body of the Indian Lac Cess Committee, with effect from the 7th December, 1954, vice Shri K. R. Damle, I.C.S., resigned.

[No. F. 4-7/54-Com.-I.]

F. C. GERA, Under Secy.

New Delhi, the 15th December 1954

S.R.O. 3622.—In exercise of the powers conferred by clause 11 of the Sugar and Gur Control Order, 1950, the Central Government, subject to any general or special orders which may from time to time be issued by it in this behalf, is pleased to direct that the powers under clause 3 of the said order shall also be exercisable by the Cane Commissioner U.P. for the purpose of allowing deduction of As. 2 per maund in the minimum price of sugarcane fixed under Government of India in the Ministry of Food and Agriculture Notification No. S.R.O. 3160, dated the 29th September, 1954 for the 1954-1955 crushing season to the Govind Sugar Mills Ltd., Lakhimpore Kheri in the interest of the cane growers and to enable the said factory to function during 1954-55 season.

[No. SV-101(1)/54-55.]

P. A. GOPALAKRISHNAN, Joint Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

PORTS

New Delhi, the 14th December 1954

S.R.O. 3623.—In exercise of the powers conferred by clause (h) of sub-section (1) of Section 8 read with sub-section (1) of Section 13A(1) of the Madras Port Trust Act, 1905 (Madras Act II of 1905), the Central Government hereby appoints the following persons as trustees on the Board of Trustees of the Port of Madras.

1. Shri C. Govindarajulu and 2. Shri N. Vijlarangam, Representatives of labour.

[No. 13-PI(124)/53.]

New Delhi, the 15th December 1954

S.R.O. 3624.—In exercise of the powers conferred by sections 5 and 6 of the Bombay Landing and Wharfage Fees Act, 1882 (Bombay Act VII of 1882), as applied to the ports of Mundra, Mandvi, Koteswar, Lakhpat, and Jakhau in Kutch, the Central Government hereby directs that with effect from the 1st January, 1955, the following amendment shall be made in the notification of the Government of India in the Ministry of Transport, No. 20-M(6)/50-II dated the 5th October, 1950, namely:—

In the said notification, for the schedule of rates of charges under the sub-heading "1-Transit Dues" below the head "Transit and Warehouse charges", the

A—IMPORT

following schedule of rates of charges shall be substituted, namely:

Shed Cargo

Open Cargo

"For the first week or part thereof, 25% of the wharfage charge. 15% of the wharfage charge.
For each succeeding week or part thereof 50% of the wharfage charge. 25% of the wharfage charge."

[No. 10-M(22)54.]

K. NARAYANAN, Under Secy.

MINISTRY OF REHABILITATION

ORDER

New Delhi, the 30th November, 1954

S.R.O. 3625.—In exercise of the powers conferred by sub-section (1) of Section 19 of the Evacuee Interest (Separation) Act (LXIV of 1951) the Central Government hereby orders that all cases in respect of composite properties pending before the Competent Officers mentioned in column 1 of the schedule below shall stand transferred to the Competent Officers mentioned in column 2 of the said schedule.

SCHEDULE

<i>From whom transferred</i>	<i>To whom transferred</i>
(i) Cases pending in the Court of Shri Onkar Nath Tikku, Competent Officer, Fazilka.	Shri Kehr Singh Mann, Competent Officer, Ferozepur.
(ii) Cases relating to Garh-shankar Tehsil pending in the Court of Shri Arjan Singh (II) Competent Officer, Hoshiarpur.	Shri Onkar Nath Tikku, Competent Officer, Garhshankar in District Hoshiarpur.
(iii) Cases relating to Ajnala Tehsil pending in the Court of Bawa Shadi Lal Competent Officer Ajnala at Amritsar.	S. Harbans Singh Competent Officer, Amritsar.
(iv) Cases relating to Una and Dasuya Tehsils pending in the Court of Shri Arjan Singh Kalsi, Additional Competent Officer, Hoshiarpur.	S. Arjan Singh II. Competent Officer, Hoshiarpur.
(v) Cases relating to Phillaur Tehsil of Jullundur District pending in the Court of Shri H. C. Mital, State Competent Officer.	Bawa Shadi Lal, Competent Officer(I), Jullundur.

[No. 52(103)54 -Prop. I.]

K. J. GEORGE, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 18th December 1954

S.R.O. 3626.—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the film entitled 'Dial M for Murder' and its Trailer produced by the Warner Bros. Pictures Inc., U.S.A., shall be deemed to be uncertified films in the whole of India.

[No. 8/7/54-F.C.]

D. KRISHNA AYYAR, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 15th December 1954

S.R.O. 3627.—The following draft of a further amendment of the Bombay Dock Workers (Regulation of Employment) Scheme, 1951 which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (IX of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 20th January 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In sub-section (3) of clause 4 of the said Scheme, for the work "twelve", the word "fifteen" shall be substituted.

[No. Fac. 73(79).]

S.R.O. 3628.—The following draft of a further amendment to the Payment of Wages (Railways) Rules, 1938, which it is proposed to make in exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24 of the Payment of Wages Act, 1936 (IV of 1936), and in supersession of the notification of the Government of India in the Ministry of Labour No. S.R.O. 2448, dated the 19th July, 1954, is published as required by sub-section (5) of section 26 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 25th March 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In rule 5 of the said Rules,

- (i) For the words "and may be kept", the words "and shall be kept at the workspot" shall be substituted.
- (ii) For the words "but shall include", the words "The said register shall include" shall be substituted.

[No. Fac. 50(24).]

S.R.O. 3629.—In exercise of the powers conferred by sub-clauses (1) and (3) of clause 4 of the Calcutta Dock Workers (Regulation of Employment) Scheme, 1951, the Central Government hereby appoints Shri I. N. Wankawalla, a representative of the Indian National Shipowners' Association, to be a member of the Calcutta Dock Labour Board and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1510, dated the 2nd September, 1952, namely:—

In the said notification under the heading "Representatives of employers of dock workers and shipping companies", for item (4) the following item shall be substituted, namely:—

- "(4) Shri I. N. Wankawalla, Representative of the Indian National Shipowners' Association".

[No. Fac. 74(2).]

New Delhi, the 15th December 1954

S.R.O. 3630.—In pursuance of section 4 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 2153, dated the 16th November, 1953, namely:—

In the said notification, under the heading "(Nominated by the State Governments of Part 'A' and Part 'B' States under clause (d) of section (4)", for item 23, the following item shall be substituted, namely:—

"23. Sardar Paramjit Singh, Labour Commissioner, Patiala and East Punjab States Union."

[No. SS.121(88)]

K. N. NAMBIAR, Under Secy.

New Delhi, the 16th December 1954

S.R.O. 3631.—The following draft of an amendment to the Minimum Wages (Central) Rules, 1950, which it is proposed to make in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (IX of 1948) is published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 27th January 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Amendment

In the said Rules, for rule 32, the following rule shall be substituted, namely:—

"32. *Saving.*—These Rules shall not apply in relation to any scheduled employment in so far as there are in force rules applicable to such employment, which in the opinion of the Central Government, make equally satisfactory provisions for the matters dealt with by these Rules and such opinion shall be final."

[No. LWI-3(9)54.]

S.R.O. 3632.—Whereas in pursuance of clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government in the notification of the Ministry of Labour, No. S.R.O. 2089, dated the 21st June, 1954, as subsequently amended, appointed a Committee to hold enquiries and advise the Central Government in fixing minimum rates of wages for the first time under the said Act in respect of the scheduled employments carried on by or under the authority of the Central Government and specified in Part I of the Schedule to the said Act;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 3, read with section 4 and sub-section (2) of section 5, of the said Act, the Central Government, after considering the advice of the said Committee, hereby fixes the minimum rates of wages payable to the class of employees specified in the Annexure and employed on road construction, or in building operations, or in stone breaking or stone crushing, under the Central Public Works Department and directs that this notification shall come into force on and from the date of its publication in the *Gazette of India*.

ANNEXURE

Contract labour under the Central Public Works Department

State	Class of employees	All inclusive minimum rates of wages per day
		Rs.
Ajmer	Mazdoor woman	1/2/-

[No. LWI-24(194)53.]

S.R.O. 3633.—Whereas in pursuance of clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government appointed in the Notification of the Ministry of Labour No. S.R.O. 2089, dated the 21st June, 1954, as subsequently amended, a Committee to hold enquiries and advise the Central Government in fixing minimum rates of wages for the first time under the said Act in respect of the scheduled employments carried on by or under the authority of the Central Government and specified in Part I of the Schedule to the said Act;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with section 4 and sub-section (2) of section 5, of the said Act, the Central Government, after considering the advice of the said Committee hereby fixes the minimum rates of wages payable to the classes of employees specified in the Annexure and employed in the State of Uttar Pradesh by the Central Public Works Department on road construction or building operations or in stone breaking or stone crushing, and directs that this Notification shall come into force on and from the date of its publication in the *Gazette of India*.

ANNEXURE

	All inclusive minimum rates of wages per day		
	Rs.	A.	P.
Mazdoor or Beldar :			
Adult male	1	8	0
Adult female	1	4	0
Boy above 12 years	1	0	0

[No. LWI-24(118)52.]

New Delhi, the 18th December 1954

S.R.O. 3634.—Whereas in pursuance of clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government appointed in the notification of the Ministry of Labour, No. S.R.O. 2089, dated the 21st June, 1954, as subsequently amended, a Committee to hold enquiries and advise the Central Government in fixing minimum rates of wages for the first time under the said Act in respect of the scheduled employments carried on by or under the authority of the Central Government and specified in Part I of the Schedule to the said Act;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 3, read with section 4 and sub-section (2) of section 5, of the said Act, the Central Government, after considering the advice of the said Committee, hereby fixes the minimum rates of wages payable to the classes of employees specified in the Annexure and employed on road construction, or in building operations, or in stone breaking or stone crushing, in the Chittaranjan Locomotive Works and directs that this notification shall come into force on and from the date of its publication in the *Gazette of India*.

ANNEXURE

Serial No.	Classes of employces	All inclusive minimum rates of wages per day
	<i>Road construction or building operations</i>	
	<i>Skilled</i>	
		Rs. AS. PS.
1	Carpenter (ordinary)	3 0 0
2	Mason (ordinary)	3 0 0
3	Blacksmith	4 0 0
4	Mazdoor	1 12 0
5	Mazdoor (female)	1 8 0
6	Head Gharami	3 8 0
7	Gharami	3 0 0
	<i>Unskilled</i>	
8	Mazdoor	1 8 0
9	Mazdoor (female)	1 4 0
10	Gharami (thatcher)	2 8 0
	<i>Stone breaking or stone crushing</i>	
11	Unskilled Mazdoor	1 4 0
12	Feeder and/or Mate	1 12 0
13	Fitter	3 0 0
14	Mechanic	3 0 0

[No. LWI-10(8)/54.]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 17th December 1954

S.R.O. 3635.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All-India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Satkari Bhattacharjee and two others, workmen of the Kargall Colliery.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

In the matter of an application under Section 33A of the Industrial Disputes Act, 1947

APPLICATION NO. 49 OF 1954 (U/S 33A)

PRESENT

Shri J. N. Majumdar—*Chairman.*

Prof. H. R. Batheja—*Member*

Shri S. P. Chopra—*Member.*

PARTIES

(1) Satkari Bhattacharjee

(2) Sundar Raj

(3) Durga Dass—*Applicants.*

Vs.

The Manager Kargali Colliery—*Opposite Party.*

APPEARANCES

Shri B. Roy, General Secretary, Chotanagpur Coal Field Workers' Union,
H. O. Kargali, P.O. Bermo, Distt. Hazaribagh—*For Applicants.*

Shri Amiya Mukerjee, Junior Govt. Counsel—*For Opposite Party.*

AWARD

Dated the 24th day of November, 1954

This is an application by Satkari Bhattacharjee, Sundar Raj and Durga Dass, Shot Firers, all of Kargali Colliery against their employer, Manager, Kargali Colliery, under Section 33A of the Industrial Disputes Act, 1947, alleging that without the permission of the Tribunal their conditions of service had been altered to their prejudice, as they had been reverted from Mine Sirdars to their former posts of Shot Firers in case of Sundar Raj and Durga Dass and Loading Supervisor in the case of Satkari Bhattacharjee.

2. The Opposite party stated that these workmen had been provisionally appointed as temporary Mining Sirdars subject to their passing the test in the Selection Committee. As the applicants failed to pass the tests and satisfy the Selection Committee, they were reverted.

3. It is quite clear from the records that their appointment as Sirdars was provisional and temporary and was subject to their passing the test. On their not having passed the requisite test they were automatically reverted to their former posts. Therefore, the question of there being any alteration in the conditions of service does not arise and there seems to be no contravention of section 33 of the Act.

We, therefore, dismiss the complaint and pass an award accordingly.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) H. R. BATHEJA, *Member.*

(Sd.) S. P. CHOPRA, *Member.*

[No. LR2(107)/54-IV.]

S.R.O. 3636.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All-India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri K. K. Sharma and 6 others, workmen of the New Chirimiri Ponri Hill Colliery.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES) CALCUTTA.

IN THE MATTER OF APPLICATIONS U/S 33A OF THE INDUSTRIAL DISPUTE ACT, 1947

PRESENT

Shri J. N. Majumdar, *Chairman*.Prof. H. R. Batheja, *Member*.Shri S. P. Chopra, *Member*.

PARTIES

Application No. 8 of 1954, U/S 33A of I. D. Act, 1947—

K. K. Sharma—*Complainant*.

Vs.

Agent & Manager, New Chirimiri Ponri Hill Colliery—*Opposite Party*.

Application No. 9 of 1954, U/S 33A of I. D. Act, 1947—

(1) Dalsai

(2) Sukhiya

(3) Chandilal

(4) Subran

(5) Mersai—*Complainants*.

Vs.

Agent & Manager, New Chirimiri Ponri Hill Colliery—*Opposite Party*.

Application No. 15 of 1954, U/S 33A of I. D. Act, 1947—

Sonemath—*Complainants*

Vs.

Agent & Manager, New Chirimiri Ponri Hill Colliery—*Opposite Party*.

APPEARANCES

Shri R. K. Dubey, General Secretary, Chhattisgarh Colliery Workers' Federation, Chirimiri—*For Complainants*.Shri B. B. Biswas, Agent & Manager, New Chirimiri Ponri Hill Colliery—*For Opposite Party*.

AWARD

Dated the 2nd day of December, 1954

These three complaints under section 33A of the Industrial Disputes Act, 1947, were compromised between the parties and an application was made embodying the terms. It was agreed between the parties that there should be only one Award because the workmen were employed in the same colliery and the terms were the same. We record the terms of compromise and make an Award in accordance therewith as follows:

"In the matter of applications Nos. 8, 9 and 15 of 1954 under section 33A of the Industrial Disputes Act, 1947 (as amended). It is hereby mutually agreed that the applicant withdraws all the above cases and the Management shall provide the affected persons with fresh jobs within a week or so as a gesture of goodwill."

(Sd.) B. B. BISWAS,

Signature of the representative of the
Management.

(Sd.) R. K. DUBEY,

Signature of the Applicant.

(Sd.) J. N. MAJUMDAR, *Chairman*.(Sd.) H. R. BATHEJA, *Member*.(Sd.) S. P. CHOPRA, *Member*.

[No. LR-2(107)/54-V.]

Dated, the 12th August, 1954.

S.R.O. 3637.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Jogeswar Pd. Lahiri, a workman of the Kargali Colliery.

THE ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES) SITTING
AT CALCUTTA

PRESENT

Shri J. N. Majumdar, *Chairman.*

Shri H. R. Batheja, *Member.*

Shri S. P. Chopra, *Member.*

APPLICATION NO. 11 OF 1954 UNDER SECTION 33A OF INDUSTRIAL DISPUTES ACT 1947
Jogeswar Pd. Lahiri—*Applicant.*

Vs.

The Manager, Kargali Colliery—*Opposite Party.*

APPEARANCES

Shri B. Roy, General Secretary, Chotonagpur Coalfield Workers Union, H.O.
Kargali, P.O. Bermo, District Hazaribagh—for the Applicant.

Shri Amiya Mukherjee, Junior Government Counsel—for the Opposite Party.

AWARD

Dated the 30th day of November, 1954

This is a complaint by one Jogeswar Pd. Lahiri against Kargali Colliery, P O. Bermo, District Hazaribagh, under section 33A, alleging that the petitioner had been working as a bonus clerk and he was transferred to work as a office clerk, i.e., as a ministerial staff.

The applicant's contention that he was a bonus clerk before his transfer as office clerk has been challenged by his employers, the Kargali colliery. Mr. Mukherjee, on behalf of the Colliery, referred to the statement of the Colliery in which the detailed facts had been given. The applicant had been appointed as a temporary miners' time-keeper and in that capacity he used to be transferred from one place to another to do miscellaneous jobs. The fact that he had been assisting the bonus clerk did not make him a bonus clerk as time-keeping was his normal work. He had been deputed to assist the bonus clerk only for making calculations by reference to the miners' time-keeper's records. He had all along been receiving the same allowance and had, at no time, been promoted to the post of a bonus clerk from that of a miner's time-keeper. Under the circumstances, his transfer as an office clerk does not amount to a contravention of section 33 as alleged by the applicant. His conditions of service have not been altered to his prejudice. Therefore, our Award is that his complaint under section 33A is dismissed.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) H. R. BATHEJA, *Member.*

(Sd.) S. P. CHOPRA, *Member.*

[No. LR2(107)/54.]

S.R.O. 3638.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Sanichar Roy and 6 others, workmen of Government Collieries.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES)

SITTING AT CALCUTTA

PRESENT

Shri J. N. Majumdar, *Chairman.*

Shri H. R. Batheja, *Member.*

Shri S. P. Chopra, *Member.*

APPLICATION NO. 16 OF 1954 UNDER SECTION 33A OF I.D. ACT, 1947

1. Sanichar Roy,
2. Nirpat Chamar,
3. Doman Barhi,
4. Doman Dusadh,
5. Mogal Gope,
6. Jhari Miah,
7. Chandoo Dusadh—*Applicants.*

Versus

1. Superintendent of Collieries, Giridih.
2. Chief Mining Engineer, Rly. Board, Calcutta—*Opposite Party.*

APPEARANCES

For the Applicants:—Nobody appears.

For the Opposite Party:—Shri Amiya Mukherjee, Junior Government Counsel.

AWARD

Dated the 30th November, 1954

This is a complaint by Sanichar Roy and Others against the Superintendent of Collieries, Giridih, under Section 33A alleging that the employer changed the condition of services to the prejudice of workmen in retiring them at the age of 55. Nobody appeared on behalf of the applicants.

A telegram, however, was received requesting for adjournment, but no reason for the inability to attend was given in the telegram. In the circumstances and in view of the statement of the Opposite Party, we pass an award dismissing the complaint.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) H. R. BATHEJA, *Member.*

(Sd.) S. P. CHOPRA, *Member.*

[No. LR2(107)/54-I.]

S.R.O. 3639.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Intaj Mian, a workman of East Kendwadiah Coal Co., Ltd.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES)

SITTING AT CALCUTTA

PRESENT

Shri J. N. Majumdar, *Chairman.*

Shri H. R. Batheja, *Member.*

Shri S. P. Chopra, *Member.*

APPLICATION NO. 21 OF 1954 UNDER SECTION 33A OF THE INDUSTRIAL DISPUTES ACT, 1947.

Intaj Mian—*Applicant.*

Versus

East Kendwadiah Coal Co., Ltd.—*Opposite Party.*

APPEARANCES

For the Applicant:—Shri Lalit Burman, General Secretary, Layabad Labour Union, P.O. Bansjora, Distt. Manbhum.

For the Opposite Party:—Shri S. M. Sanyal and Shri M. M. Sanyal, Advocates.

AWARD

Dated the 24th November 1954

This is a complaint under section 33A of the Industrial Disputes Act, 1947 by Intaj Mian, against his employers, Messrs. East Kendwadih Coal Co., Ltd., alleging that the applicant was dismissed verbally by the Company with effect from 16th of April, 1954, without any charge-sheet or notice.

The Opposite Party (Company), in reply, has stated that the applicant was transferred to work on another boiler, because of which he refused to report for duty, and that the applicant was never dismissed. This was made clear to the applicant by the Manager. The Company, however, received a letter on 1st May, 1954 from the office of the Conciliation Officer, Dhanbad, intimating that the case regarding the dismissal of Intaj Mian was being taken up by the Conciliation Officer on 25th May, 1954. The Company, however, reiterated that they never dismissed Intaj Mian, but that the workman concerned had been absenting himself from duty without information to the Company. Finally, the Conciliation Officer by a letter of 31st May, 1954, informed the applicant through Shri Ananta Sharma, Secretary, Central Alkusa (Gondudih) Colliery Workers Union, who had been taking up the case with the Conciliation Officer that the applicant should report for duty. The applicant still continued to remain absent from duty and the Manager of the Company informed this fact to the Conciliation Officer by letter dated 16th June, 1954.

On 18th October, 1954, the representative of the applicant wanted time to produce evidence in order to prove that the applicant never knew of the step taken by the Company and the applicant had never been informed of the Company being willing to take him back to the services. For this purpose, the case was adjourned to 20th October, 1954, when the evidence of Shri Ananta Sharma was not produced. Under the circumstances the applicant has not been able to refute the statement in evidence produced by the opposite party.

In the result, we pass an award dismissing the complaint.

(Sd.) J. N. MAJUMDAR, *Chairman.*

(Sd.) H. R. BATHEJA, *Member.*

(Sd.) S. P. CHOPRA, *Member.*

[No. LR2(107)/54-II.]

S.R.O. 3640.—In pursuance of section 17 of the Industrial Disputes Act 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act from Shri Mohammad Isfaque, a workman of the Loyabad Colliery.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

APPLICATION No. 33 of 1954.

(arising out of Reference No. 6 of 1952)

In the matter of an application U/s 33A of the Industrial Disputes Act 1947.

PRESENT

Shri L. P. Dave, B.A., LL.B.—*Chairman.*

PARTIES

Mohammad Isfaque, Assistant Loading Clerk & Loading Clerk of Loyabad Colliery, P. S. Jogta, P.O. Bansjora, Dt. Manbhum.—*Complainant.*

Vs.

Burrakar Coal Co Ltd., Managing Agents; M/S. Bird & Co. Ltd., Loyabad Colliery, P.O. Bansjora, Dt. Manbhum.—*Opposite party.*

APPEARANCES

Shri Lalit Burman, General Secretary, Loyabad Labour Union, P.O. Bansjora (Dt. Manbhum).—*For the complainant.*

Shri D. N. Gupta, Chief Personnel Officer, and Shri J. P. L. Sinha, Junior Personnel Officer, M/S. Bird & Co. Ltd., P. O. Sijua, Dt. Manbhum.—*For the opposite party.*

AWARD

This is a complaint under Section 33A of the Industrial Disputes Act.

2. The complainant alleged that during the pendency of Reference No. 6 of 1952, he was dismissed by the opposite party on 26th October, 1953 without the permission of this Tribunal. Hence he filed the present complaint.

3. The opposite party contended that the complainant was not a workman but was a member of the supervisory staff. It was further contended that the complainant had been transferred from Sirka colliery to the Loyabad colliery. As he did not like this transfer, he took leave from time to time. Ultimately he was given leave for seven days from 22nd September 1953. He over-stayed the leave and applied for extension thereof but the extension was not granted. He applied for permission to join on 29th October 1953 but this was not granted.

4. At the hearing, a preliminary objection was raised by the opposite party that the present complaint must be dismissed on the ground that it had been filed after an unreasonable delay. The complainant has filed this complaint under Section 33A of the Industrial Disputes Act, alleging that the opposite party had committed a breach of Section 33 of the Industrial Disputes Act by dismissing him during the pendency of Reference No. 6 of 1952. Section 33 of the Act prohibits an employer *inter alia* from dismissing a workman concerned in any dispute which may be pending before a Tribunal without the express permission in writing from that Tribunal. Section 33A lays down that if an employer commits a breach of Section 33, the aggrieved employee may make a complaint in writing to the Tribunal. This section does not provide in express terms the time during which a complaint thereunder should be made; but it does not give a right to an aggrieved workman to make a complaint after an indefinite period. It is implicit in the Section that the complaint must be made within a reasonable time of the act complained of. The true position would be that a complaint under this Section must be made as far as possible during the pendency of the proceedings and if it is made after such pendency, it should be made within a reasonable time. See the decision of the Labour Appellate Tribunal in the case of General Motors (India) Ltd. 1954, Vol. I, L.L.J., p. 676. It is true that this was a case under Section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950; but that section is similar to Section 33A of the Industrial Disputes Act and the principles laid down in the above case would also be applicable to the present case.

5. In the present case, the complaint was filed on 15th March, 1954. The complaint is alleged to have been dismissed on 26th October, 1953. The proceedings in Reference No. 6 of 1952 were concluded from 10th November, 1953. This would mean that the present complaint has been filed more than four months after the proceedings in the above case had terminated and more than 4½ months after his dismissal. The delay is unreasonable and the complaint would fail on this ground.

6. Another preliminary objection has also been raised by the opposite party in the written statement and it is that the complainant was not a workman. The complainant filed this complaint describing himself as an Assistant Loading Clerk and Loading Clerk of the Loyabad colliery. In the application given by the complainant himself to the manager for extension of leave, he had described himself as Loading Inspector. He has also been described as Loading Inspector in the leave slip issued to him when leave was granted to him. This would show that the complainant has deliberately tried to mislead the Tribunal by describing himself as a Loading Clerk when his designation was Loading Inspector. It is true that a designation is immaterial for deciding whether a person is a workman or not; but the fact that the complainant deliberately described himself by another designation when filing the complaint, would make one to suspect that his duties in that post must not have been manual or clerical but must have been supervisory and that is why he described himself as a clerk so that he could be presumed to be a workman.

7. The complainant has led no evidence whatsoever to show that he was a workman as defined in the Industrial Disputes Act. He has not gone in the witness box to state the nature of his duties which he had to perform. On the contrary, the opposite party has examined one Ram Nagina Tewari, a Loading Supervisor, who has stated that the complainant had not to write any register but had to do only supervisory and inspecting work. There is no reason to disbelieve him. Further, as I said above, the complainant has led no evidence to show that his duties were either clerical or manual or that he was a workman as defined in the Industrial

Disputes Act. I hold that the complainant has failed to prove that he was a workman. That being so, the present complaint would not be maintainable.

8. Coming to the merits, the complainant was originally serving at the Sirka Colliery but was transferred to Loyabad in about June 1953. After joining at Loyabad, he took leave for five days from 11th June, 1953. He again took leave for six days from 17th August, 1953. Then he took leave for seven days from 22nd September, 1953. On the last occasion after going home, he sent an application on 29th September, 1953 asking for an extension of leave for one month more. In support of this application, he sent a medical certificate certifying that he was suffering from Gastritis and was advised complete rest for a month for his proper treatment. The complainant alleges that no reply was sent to this application while the opposite party says that a reply was sent to him that extension of leave was not sanctioned. There is no evidence to show that a reply was sent like this and I would therefore hold that no reply was sent to him.

9. The complainant appeared at the colliery on 27th October, 1953 and asked for being allowed to resume his duties; but this request of his was not granted as he had over-stayed his leave without permission. No charge-sheet was served on him before this. The management allege that the complainant had not been dismissed as such, but he was not allowed to join because he had lost his lien on his appointment under Order No. 11 of the Standing Orders which lays down that if an employee remained absent beyond the period of leave originally granted, he would lose his lien on his appointment unless he returned within eight days of the expiry of the leave and gave a satisfactory explanation about his inability to return before the expiry of leave. He did not return within eight days of the expiry of the leave. About his having given a reasonable explanation of his absence, it is said that he was not well. The management have examined a witness Kewalram who says that he had seen the complainant working at his shop at that time. In this connection, it may be noted that the complainant was originally working at the Sirka colliery and was transferred to Loyabad in June 1953. Immediately after joining, he took leave for five days. He again took leave for six days in August and seven days in September. This justifies the management's contention that the complainant did not like this transfer and was trying to evade it. He had a shop at Sirka and naturally he would not like to go to Loyabad. In my opinion, he must have over-stayed the period of leave to start and manage his shop. I do not believe that he was ill. He has not himself gone in the witness box to swear that he was ill nor has he produced any other evidence in support of this allegation. No doubt he has produced a document which purports to be a medical certificate mentioning that he was suffering from Gastritis but the medical certificate has not been properly proved. In view of the circumstances, I do not believe the complainant's allegations. I hold that he had no reasonable excuse for not joining his duties in time. The management was therefore justified in not allowing him to resume his duties because he had lost his lien on his appointment.

10. In the result, the complaint fails and is dismissed. I pass my award accordingly.

The 7th December 1954.

(Sd.) L. P. DAVE, *Chairman*.
Central Government's Industrial Tribunal, Dhanbad.

[No. LR2(365)/54.]

S.R.O. 3641.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All-India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Amarendra Nath Mukherjee, a workman of the Bansdeopur Colliery.

ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES) SITTING AT CALCUTTA

PRESENT

Shri J. N. Majumdar, *Chairman*.

Shri H. R. Batheja, *Member*.

Shri S. P. Chopra, *Member*.

APPLICATION NO. 223 OF 1954 UNDER SECTION 33A OF THE INDUSTRIAL DISPUTES ACT, 1947.

Amarendra Nath Mukherjee, Electric Helper, Bansdeopur Colliery—*Applicant*.

Vs.

Messrs New Bansdeopur Coal Co., Ltd., Bansdeopur Colliery, P.O. Kusunda, District Manbhum (Bihar)—*Opposite Party*.

APPEARANCES

Shri Lalit Burman, General Secretary, Laysabad Labour Union, P.O. Bansjora, Manbhum—*for the applicant*.

Shri B. K. Banerjee, Office Superintendent and General Assistant and Shri P. R. Mukherjee, Advocate, Calcutta—*for the Opposite Party*.

AWARD

Dated the 24th November, 1954

This is a complaint under section 33A of the Industrial Disputes Act, 1947 by one Shri Amarendra Nath Mukherjee, Electric Helper, Bansdeopur Colliery, P.O. Kusunda, District Manbhum (Bihar). The written statement of the Company is also before us.

The application was taken up for hearing when the parties filed before us compromise memo. As such, an award is passed in terms of the compromise as set out herein below:—

- (1) That the parties have come to an amicable settlement as follows:—
- (2) That the Colliery Party will pay Rs. 75 (Seventy-five) to the applicant Amarendra Nath Mukherjee within one month from the date. This sum includes Bonus till September, 1954.
- (3) That the applicant will be re-instated to the post he held as soon as he reports himself to the Manager.
- (4) That there will be no break in service.
- (5) That all disputes involved in the above cases are settled finally as aforesaid.

(Sd.) BINOY KRISHNA BANERJEE, Office Superintendent
& General Assistant for Manager, Bansdeopur
Coal Co., Ltd.

(Sd.) * * * * * Lawyer for the Colliery.

(Sd.) AMARENDRA NATH MUKHERJEE, *Applicant*.

(Sd.) LALIT BURMAN—*for the Applicant*.

(Sd.) J. N. MAJUMDAR, *Chairman*.

(Sd.) H. R. BATHEJA, *Member*.

(Sd.) S. P. CHOPRA, *Member*.

Calcutta the 20th October 1954

[No. LR2(107)/54-III.]

ORDER

New Delhi, the 20th December 1954

S.R.O. 3642.—Whereas the Central Government is of opinion that an Industrial dispute exists between the employers in relation to the Bombay Mutual Life Assurance Society, Limited, and their workmen in the Head Office and the branches in respect of bonus for the years 1952 and 1953;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Dhanbad, constituted under section 7 of the said Act.

[No. LR.90(31)/54.]

P. S. EASWARAN, Under Secy.

New Delhi, the 17th December 1954

S.R.O. 3643.—In exercise of the powers conferred by section 5 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (XLVI of 1948), the Central Government hereby frames the following Coal Mines Bonus Scheme in respect of the coal mines in Rajasthan, namely:—

1. Short title and application.—(1) This Scheme may be called the Rajasthan Coal Mines Bonus Scheme.

(2) It shall apply to all coal mines in Rajasthan.

(3) The provisions of this Scheme shall be deemed to have come into force on the 1st April, 1954.

2. Definition.—In this Scheme unless there is anything repugnant in the subject or context—

- (a) “basic earnings” means the total cash emoluments, whether earned while on duty or while on leave with pay, but excluding all payments for food concession, dearness, house rent and other similar allowances, overtime, commission, presents or donations;
- (b) “category I employee” means an underground miner or any other underground piece worker;
- (c) “category II employee” means an employee in a coal mine other than a category I employee;
- (d) “Chief Inspector of Mines” has the meaning assigned to it in sub-section (1) of Section 5 of the Mines Act, 1952 (XXXV of 1952);
- (e) “illegal strike” means a strike which is illegal within the meaning of section 24 of the Industrial Disputes Act, 1947 (XIV of 1947);
- (f) “quarter” means a period of three calendar months commencing on the first of January, the first of April, the first of July and the first of October, of each year;
- (g) “the Act” means the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (XLVI of 1948);
- (h) “Regional Labour Commissioner” means an officer appointed as such by the Central Government; and
- (i) “temporary disablement” means a condition resulting from a personal injury to an employee caused by accident or an occupational disease arising out of and in the course of his employment in a coal mine, which requires medical treatment and renders the employee temporarily incapable of work and which entitles such employee to compensation under the “Workmen’s Compensation Act, 1923 (VIII of 1923)”.

3. Class of employees eligible to qualify for bonus.—Except as hereinafter provided, every employee in a coal mine to which this Scheme applies shall be eligible to qualify for a bonus.

Exception.—An employee in a coal mine shall not be entitled to a bonus under the Scheme for the period during which—

- (a) his basic earning exceed three hundred rupees per month; or
- (b) he is employed as a mali, sweeper or domestic servant on domestic and personal work; or
- (c) he is employed as a labourer of a contractor for building, brick making or tile making; or
- (d) he is employed as a permanent employee in any colliery owned by the Government of Rajasthan.

4. Qualification for Bonus.—An employee in a coal mine to which this Scheme applies shall qualify for a bonus from his employer in respect of any quarter provided that he puts in attendance in a coal mine during that quarter for not less than 60 days if a category I employee, or for not less than 65 days if a category II employee.

5. Allowance for leave, etc.—(1) For the purposes of paragraph 4 of this Scheme, leave (including sick leave) granted by the employer to an aggregate of 21 days in a calendar year and days of idleness caused by any temporary breakdown of machinery or any other technical reason or by any lock out which is

illegal under section 24 of the Industrial Disputes Act, 1947 and days of absence from work on account of compulsory attendance in a Court of Law, shall count as days of attendance.

(2) If on any working day in any quarter an employee is on maternity leave or is unable to work owing to temporary disablement, the number of days for which he must put in attendance to qualify for bonus under paragraph 4 shall be reduced by 70 per cent. of such working days if a category I employee, or by 85 per cent. of such working days if a category II employee.

Explanation.—In calculating 70 per cent. or 85 per cent. of such working days, a fraction less than half shall be disregarded and not less than half shall count as one.

(3) If in any quarter any day, other than the weekly holiday, is observed as a closed holiday in any coal mine, the number of days for which the employee must put in attendance in such quarter to qualify for bonus under paragraph 4 shall be reduced in respect of such coal mine by one if there be not more than two such closed holidays, by two if there be more than two but not more than four such closed holidays and by three if there be more than four such closed holidays:

Provided that the number of days so reduced in a year shall not exceed three. In the event of a dispute as to whether a day is a closed holiday or not, the decision of the Chief Inspector of Mines shall be final.

6. Amount of bonus.—The amount of bonus payable to an employee in respect of any quarter shall be one-third of the basic earnings of the employee for work done in that quarter in the coal mine wherein he qualifies for bonus.

7. Effect of participation in illegal strike.—(1) If an illegal strike takes place in any coal mine in any quarter, no bonus shall be payable in respect of the quarter to all those who participate in such illegal strike:

Provided that where any illegal strike is called off within 48 hours of its commencement, the amount of bonus that would have fallen due to the employees but for such participation shall be paid by the employers for credit to the Reserve Account of the Coal Mines Provident Fund when established.

(2) The payment of the amount of bonus referred to in the proviso to sub-paragraph (1) shall be made deposit in such Government treasury and under such head of account as the Central Government may direct and the original treasury chalan whereby the deposit has been made shall be sent within a fortnight of the date of the deposit to the Coal Mines Provident Fund Commissioner together with a statement in such form as he may specify in this behalf.

(3) If any dispute arises whether a strike is legal or illegal for the purposes of this Scheme, the employer or an employee may make an application to the Regional Labour Commissioner having jurisdiction in the area in which the coal mine is situated for decision whether the strike is legal or illegal.

(4) The Regional Labour Commissioner shall, on payment of such fee as may be specified by him, give a copy of the decision to the employer or an employee asking for the same.

(5) An appeal from the decision of the Regional Labour Commissioner shall lie to the Industrial Tribunal at Dhanbad whose decision shall be final.

(6) The Tribunal may, pending decision of the appeal, direct that the order of the payment of bonus shall be stayed.

(7) The period of limitation for appeal under this paragraph shall be thirty days from the date of the order appealed from.

(8) The provisions of the sections 5 and 12 of the Indian Limitation Act, 1908 (IX of 1908) shall apply to appeals under this paragraph.

(9) The Regional Labour Commissioner or the Tribunal shall decide the dispute after giving reasonable notice to the parties interested in the dispute and after affording them an opportunity of being heard.

8. When bonus payable.—(1) The bonus in respect of any quarter shall be paid to an employee entitled to it within a period of two months from the last date of the quarter:

Provided that where an employer has made an application under sub-paragraph 3 of paragraph 7, the bonus shall be paid within a period of thirty days from the date of decision on the application, if the decision is that the strike was legal, or, where an appeal is filed against that decision under sub-paragraph (4) of that paragraph, within such period as the appellate authority may direct or in the absence of any such direction, within ten days of the dismissal of the appeal.

(2) Any bonus paid to an employee before the date on which the Scheme is notified, in respect of a quarter for which bonus is payable as herein provided shall be deemed to have been paid under this Scheme.

(3) A bonus due before the date of notification of this Scheme shall, if not paid earlier, be paid within six weeks from the date of such notification.

9. Returns.—Within a period of one month from the last date by which any bonus is required to be paid under the provision of paragraph 8, the employer shall submit returns in Forms I and II to the Regional Labour Commissioner having jurisdiction in the area in which the coal mine is situated.

10. Registers.—(1) Every employer shall from the first of January 1955, maintain a register of persons employed underground in his coal mine in Form III and the register shall show at any moment the name of every person then working underground.

(2) All entries in this register shall be made at the entrance or entrances to the coal mine when the persons against whose name entries are made enter or leave the coal mine.

(3) Every employer shall from the first of January 1955 maintain a register of persons employed in open working and on the surface in Forms IV and V respectively. The register shall be kept at the office of the coal mine or at some other building at a convenient place not far from the coal mine.

(4) The registers required to be maintained by sub-paragraph (1) and (3) shall be preserved for twelve months after the date of the last entry made therein.

11. Obligation to produce documents before Inspector.—Where an Inspector in exercise of the powers conferred on him under clause (b) of sub-section (2) of section 10 of the Act requires any person in charge of a coal mine or its office to produce any document before him, that person shall produce such document before the Inspector.

12. Penalties.—(1) Any employer who—

- (a) refuses, or without reasonable cause, fails to pay any bonus within the period specified for a payment thereof to a person entitled to it under this Scheme; or
- (b) makes any false entry or statement in any return or register required to be sent or maintained under this Scheme with a view to avoiding payment, or reducing the amount, of any bonus payable under this Scheme or;
- (c) fails to maintain up to date and in the manner prescribed the registers required under paragraph 10 of this Scheme;

shall be punishable with imprisonment for a term which may extend to six months or with fine not exceeding one thousand rupees or with both.

(2) Any employer who fails to furnish any return required under paragraph 9 of the Scheme shall be punishable with fine not exceeding one thousand rupees.

(3) Whoever, in contravention of the provisions of paragraph 11, refuses or fails to produce any document before an Inspector shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees, or with both.

FORM I
(See paragraph 9)

Name of employer.....Employer No.....
Address.....Quarter.....to.....195

Nature of employment	No. of employees who worked in the coal mine in the period or quarter	No. of employees who qualified for bonus for the period or quarter	Amount of bonus payable	No. of employees out of (3) to whom bonuses have actually been paid	Amount of bonuses out of (4), actually paid	No. of employees to whom bonuses have not been paid	Amount of bonus due but not paid
I	2	3	4	5	6	7	8
Supervisory and clerical .							
Underground .							
Miners and other under- ground piece workers .							
Other underground work- ers .							
Others .							
Men .							
Women .							
Miners .							
TOTAL							

FORM II
(See paragraph 9)

Name of employer.....Employer No.....
Address.....Quarter.....
to.....195

Serial No.	P. F. Account No.*	Name of employee	Amount of bonus due but not paid	Remarks†

* The column may be left blank till Account Numbers are allotted.

† If a bonus is paid after the time limit, say since paid

FORM III
(See paragraph 10)

All entries to be made in English

Number of Relay.....

Hours of Relay.....

Register of persons employed underground during the week commencing.....and ending.....19 ..

Name of Mine.....

Name of Owner.....

(TIME SHOULD BE RECORDED AGAINST AN ENTRY WHEREVER IT DIFFERS FROM THE HOURS OF RELAY STATED ABOVE)

Sr. No.	Name of persons	Nature of work	Relay	Sunday in	Sunday out	Monday in	Monday out	Tuesday in	Tuesday out	Wednesday in	Wednesday out	Thursday in	Thursday out	Friday in	Friday out	Saturday in	Saturday out	Number of days worked during the week	Hours worked during week	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

Weekly Abstract
Classification

Aggregate number of attendances during the week.

Aggregate number of absentees during the week.

Manager

Date.....

Signature of Register-keeper.

Date.....

Miners and loaders.....

Others

FORM IV
(See paragraph 10)

All entries to be made in English.

Number of Relay.....

Hours of Relay.....

Register of persons employed in Open Workings during the week commencing..... and ending..... 19 ..

Name of Mine.....

Name of Owner.....

(TIME SHOULD BE RECORDED AGAINST AN ENTRY WHEREVER IT DIFFERS FROM THE HOURS OF RELAY STATED ABOVE)

Sr. No.	Name of person	Nature of work	Relay	Sunday in out	Monday in out	Tuesday in out	Wednesday in out	Thursday in out	Friday in out	Saturday in out	Number of days worked during the week	Hours worked during the week	Remarks							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

Weekly Abstract Classification

Miners and loaders..... Aggregate number of attendances during the week. Aggregate number of absentees during the week.

Others

Women

Manager

Date.....

Signature of Register-keeper.

Date.....

FORM V

(See paragraph 10)

All entries to be made in English.

Number of Relay.....

Hours of Relay.....

Register of persons employed on surface during the week commencing.....and ending.....19..

Name of Mine

Name of Owner.....

(TIME SHOULD BE RECORDED AGAINST AN ENTRY WHENEVER IT DIFFERS FROM THE HOURS OF RELAY STATED ABOVE)

Sr. No.	Name of person	Nature of work	Relay	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Number of days worked during the week	Hours worked during the week	Remarks
				in	out	in	out	in	out	in	out	in	out	in	out	in	out			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

Classification

Weekly Abstract

Aggregate number of attendances during the week.

Aggregate number of absentees during the week.

Men

Women

Manager

Date.....

Signature of Register-keeper.

Date.....

[No. PF. 2 (27)/52.]

TEJA SINGH SAHNI, Dy. Secy.

New Delhi, the 18th December 1954

S.R.O. 3644.—The following draft of certain further amendments in the Industrial Disputes (Central) Rules, 1947, which the Central Government proposes to make in exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (XIV of 1947), and in supersession of the notification of the Government of India in the Ministry of Labour, No. S.R.O. 231, dated the 11th January, 1954, is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 10th January, 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

In the said Rules—

(1) After rule 55, the following rules shall be inserted, namely:—

"55A. Notice of retrenchment.—If any employer desires to retrench any workman employed in his industry who has been in continuous service for not less than one year under him (hereinafter referred to as 'workman' in this rule and in rules 55B and 55C), he shall give notice of such retrenchment as in Form GG to the Central Government and such notice shall be served on that Government by registered post in the following manner:—

- (a) where notice is given to the workman, notice of retrenchment shall be sent on the same day on which notice is given to the workman;
- (b) where no notice is given to the workman and he is paid one month's wages in lieu thereof, notice of retrenchment shall be sent on the day on which such wages are paid;
- (c) where retrenchment is carried out under an agreement—
 - (i) which specifies a date for the termination of service, notice of ~~re-~~ retrenchment shall be sent so as to reach the Central Government at least one month ~~before such date, and~~
 - (ii) which does not specify any such date, notice of retrenchment shall be sent on the date of the agreement.

55B. Maintenance of seniority list of retrenched workmen.—The employer shall prepare a list of the workmen to be retrenched by him separately in respect of each grade or class, as the case may be, arranged according to the seniority of their service in that grade or class and cause a copy thereof to be posted on a notice board in a conspicuous place in the premises of the industrial establishment, at the time of retrenchment.

55C. Re-employment of retrenched workmen.—(1) At least ten days before the date on which vacancies are to be filled, the employer shall arrange for the display on a notice board in a conspicuous place in the premises of the industrial establishment details of these vacancies and shall also give intimation of these vacancies to every one of all the retrenched workmen eligible to be considered therefor, to the address given by him at the time of retrenchment or at any time thereafter:

Provided that where the number of such vacancies is less than the number of retrenched workmen, it shall be sufficient if intimation is given by the employer individually to the senior-most workmen in the list referred to in rule 55B, the number of such senior-most workmen being double the number of such vacancies

(2) Immediately after complying with the provisions of sub-rule (1), the employer shall also inform the trade unions, whether registered or not, connected with the industrial establishment, of the number of vacancies to be filled and the names of the retrenched workmen to whom intimation has been sent under that sub-rule:

Provided that the provisions of this sub-rule need not be complied with by the employer in any case where intimation is sent to every one of the workmen mentioned in the list prepared under rule 55B."

2. In the Schedule, after Form G, the following Form shall be inserted, namely:—

FORM GG

(See rule 55A)

Form of notice of retrenchment to be given by an employer under clause (c) of section 25F of the Industrial Disputes Act, 1947.

Name of employer

Address

Dated the day of 195 .

to

The Secretary to the Government of India, Ministry of Labour, New Delhi.

at,

Under clause (c) of section 25F of the Industrial Disputes Act, 1947 (XIV of 1947), I/we hereby inform you that I/we have decided to retrench *
workmen with effect from the † for the reasons explained in the
annexe

2. ‡The workmen concerned were given on the † 195 , one month's notice in writing as required under clause (a) of Section 25F of that Act.

‡Retrenchment is being effected in pursuance of an agreement, a copy of which is enclosed.

‡The workmen were given on the † 195 , one month's pay in lieu of notice, as required under clause (a) of section 25F of that Act.

3. Information regarding the total number of workmen employed in the industry and the total number of those who will be affected by the retrenchment is given below:—

Class or designation of workmen	Number of workmen	
	Employed	To be retrenched
(1)	(2)	(3)

2.

3. &c.

Yours faithfully,

* Here insert the number of workmen.

† Here insert the date.

‡ Delete the portion which is not applicable.

§ Here insert the position which the person who signs this letter holds with the employer issuing the letter.

ANNEXE

Statement of reasons

Copy to—

- (1) Conciliation Officer (Central) (Here enter office address of the Conciliation Officer in local area concerned.)
- (2) Regional Labour Commissioner (Central), Zone.
- (3) Chief Labour Commissioner (Central), New Delhi.

[No. LR 1(292)/53.]

N. C. KUPPUSWAMI, Dy. Secy.

